

FEDERAL COURT

BETWEEN

ATTORNEY GENERAL OF CANADA

Applicant

and

JOHN C. TURMEL

Respondent

NOTICE OF APPLICATION

TO THE RESPONDENT:

A PROCEEDING HAS BEEN COMMENCED AGAINST YOU by the applicant. The relief claimed by the applicant appears below.

THIS APPLICATION will be heard by the Court at a time and place to be fixed by the Judicial Administrator. Unless the Court orders otherwise, the place of hearing will be as requested by the applicant. The applicant requests that this application be heard at (place where Federal Court of Appeal (or Federal Court) ordinarily sits).

IF YOU WISH TO OPPOSE THIS APPLICATION, to receive notice of any step in the application or to be served with any documents in the application, you or a solicitor acting for you must file a notice of appearance in Form 305 prescribed by the Federal Courts Rules and serve it on the applicant's solicitor or, if the applicant is self-represented, on the applicant, WITHIN 10 DAYS after being served with this notice of application.

Copies of the Federal Courts Rules, information concerning the local offices of the Court and other necessary information may be obtained on request to the Administrator of this Court at Ottawa (telephone 613-992-4238) or at any local office.

IF YOU FAIL TO OPPOSE THIS APPLICATION, JUDGMENT MAY BE GIVEN IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU.

May 10 2022

Local Office:

180 Queen St. W.
Toronto ON M5V3L6

To: John Turmel
The Administrator
Federal Court of Canada
180 Queen St. W.
Toronto ON M5V3L6

APPLICATION

THE APPLICANT MAKES AN APPLICATION for an Order:

(a) that no further proceedings may be instituted, and that any proceeding previously instituted may not be continued, by the respondent in the Federal Court or Federal Court of Appeal, except with leave of the Federal Court;

JCT: Notice we're waiting for the decision by Prothonotary Trent Horne on the Crown's motion to strike my claim. My memorandum in response to the Crown motion to strike:
<http://smartestman.ca/c19bcnr.pdf>

And we're waiting for a date for the hearing of my appeal against the decision of Prothonotary Ayles and Justice Zinn before the Court of Appeal.
<http://smartestman.ca/c19a3m3.pdf>

(b) that any application by the respondent for leave to institute or continue proceedings must, in addition to satisfying the criteria in S.40(4) of the Federal Court Act, demonstrate that all outstanding costs awards against the respondent in the in the Federal Court or Federal Court of Appeal have been paid in full;

(c) prohibiting the respondent from preparing, distributing or in any way disseminating court documents, including template documents, for use by others in proceedings before the Federal Court or the Federal Court of Appeal;

(d) prohibiting the respondent from assisting others with their Federal Court or Federal Court of Appeal proceedings, including by filing materials or by purporting to represent or communicate with the Courts on their behalf;

(e) that no further proceedings may be instituted by anyone in the Federal Court or Federal Court of Appeal using originating documents that are in any way prepared, distributed, or disseminated by the respondent, except with leave of the court;

(f) for costs; and

(g) for such other further relief as counsel may advise and this Honourable Court may deem just.

THE GROUNDS OF THE APPLICATION ARE:

(a) the respondent has persistently instituted vexatious proceedings and has conducted proceedings in a vexatious manner;

(b) since 1980, the respondent has instituted at least 67 proceedings in the courts of Ontario, the Federal Court or Federal Court of Appeal, and the Supreme Court of Canada;

JCT: Wow. One and a half proceedings per year. How persistent.

(c) since 2014, plaintiffs have filed more than 800 Federal Court claims as well as numerous motions, appeals, and applications for leave to appeal, based on litigation materials prepared, distributed and promoted by the respondent.

JCT: 800 people complaining. How vexatious!

(d) the respondent persistently brings and encourages others to bring meritless claims, motions, appeals and applications for leave to appeal;

JCT: If they're so meritless, why did Justice Brown dismiss the Crown's motions to strike them?

(e) the respondent brings and encourages others to bring proceedings for an improper purpose or that obviously cannot succeed;

JCT: If they're so meritless with such little chance of success, why did Justice Brown dismiss the Crown's motions to strike them and let them proceed? His decisions:

<http://johnturmel.com/delcn2j.pdf>

<http://johnturmel.com/150cn1j.pdf>

(f) in his own proceedings and in materials prepared for use by others, the respondent frequently attempts to re-litigate issues which have already been decided;

JCT: This is a complete lie. For example, my first action in 2021 to declare "any" Covid mitigation restrictions due to a false alarm unconstitutional was dismissed for not citing a specific restriction, when the Air Travel restriction was imposed in 2022, I filed to declare the Air Travel vax requirement as unconstitutional and the Crown argued that I was re-litigating the issue! So litigating the air travel restriction is re-litigating the unspecified "any!"

(g) in his own proceedings and in materials prepared for use by others, the respondent uses pleadings to make bald, unsubstantiated and intemperate or scandalous allegations against others;

JCT: It's neat that though the Crown keeps repeating this, they haven't pointed out one bald, unsubstantiated and intemperate or scandalous allegation against others. Not one specific example and now they're going to have to come up an example. Or hope for a crooked judge who doesn't need any examples.

(h) the respondent frequently expresses disregard, and at times outright contempt for the Federal Courts, including Justices and the Registry;

JCT: Sure, I've pointed out that not letting the action proceed for the declaration of false alarm has allowed millions of Canadians to get clotted and that blood in on their hands. Is pointing out the courts are responsible for the deaths and damage to millions of Canadians who would not have taken the clot shots had the court told them it was as false alarm contempt of court?

From my <http://SmartestMan.Ca/fauci> poem:

Would you have taken jab if Crown Ben Wong had Trudeau told,
Covid Mortality was over hyped by hundredfold?
Would you have taken jab if Justice Crampton had us told,
That Apple Orange were compared to hype by hundredfold

Would you have taken clot shot if Judge Aylen said: Behold
The CFR to IFR's too small by hundredfold
Would you have taken jab if Justice Zinn had us all told,
Comparing Apple Orange hyped the threat by hundredfold.

JCT: Is showing the judges the damage they have done contempt of the courts?

And I have no idea how I'm supposed to have shown contempt for the Registry. After all, it's used as a web site. So how did I show contempt for the Registry? Har har har.

(i) the respondent frequently disregards court rules and orders;

JCT: Notice no example cited. I have not gotten into trouble for disregarding court rules or orders at all. Notice no example.

(j) although not licensed to practice law, the respondent frequently advises others on the conduct of their claims

JCT: What advice is needed for someone who copies my claim, gets stayed pending what happens to the Lead and then waits to see what happens to the Lead. Not much advice needed!

or purports to represent others;

JCT: I know I can't represent others. The fact I've been the Lead Plaintiff while they wait to see what happens is not representing others (even if it makes arguments for the claim used by others). This does show how the Crown has a distorted view of what's going on. My being Lead for others looks to them like representing others so they say what it looks like is what it is. Not.

(k) the respondent persistently fails to comply with costs orders

JCT: I was a professional gambler most of my career and couldn't spare the cash to pay them. Now I'm on pension, never went back to my job as a pro at the casino after getting it, and they examined my finances under oath a few years ago and gave up trying to collect. If I had the cash, I'd pay but I don't.

and encourages others not to pay costs orders.

JCT: The Lead Plaintiff Harris in the first of 400 medpot permit processing delay actions was hit with \$2,500 in costs at the Court of Appeal and not only were his they paid, I paid them, \$200 a month for a year.

(l) the requested order will promote the integrity of the judicial process of this Court and prevent the respondent from continuing to conduct, and from encouraging others to conduct, proceedings in an abusive and vexatious manner that is harmful to the court system and its participants;

JCT: What's abusive and vexatious about filing claims, appointing a Lead Plaintiff while staying the others, and my writing the documentation?

(m) Federal Courts Act, RSC 1984, ss40, 44;

(n) the plenary jurisdiction of the Court;

(o) such further and other grounds as counsel may submit and this Honourable Court may accept.

THE APPLICATION WILL BE SUPPORTED BY THE FOLLOWING MATERIAL:

(a) the Affidavit of Lisa Minarovich, and

(b) such other material that counsel may advise and this Honourable Court may permit.

May 10 2022

ATTORNEY GENERAL OF CANADA

Per Jon Bricker

CONSENT OF THE ATTORNEY GENERAL OF CANADA

(SECTION 40 OF THE FEDERAL COURTS ACT)

THE ATTORNEY GENERAL OF CANADA consents to the bringing of an application for an order pursuant to S.40 of the Federal Court Act.