

FEDERAL COURT OF APPEAL

Between:

John Turmel

Applicant

Appellant

AND

His Majesty The King

Respondent

RECORD OF MOTION FOR RECONSIDERATION

For the Appellant/Respondent

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For the Respondent/Applicant

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NOTICE OF MOTION FOR RECONSIDERATION

TAKE NOTICE THAT the Appellant John Turmel will make a motion to Federal Court of Appeal Justice Laskin under Rule 369 to reconsider his May 15 2023 Order to extend the decision of the Federal Court declaring Appellant a "Vexatious Litigant" to the Federal Court of Appeal before the appeal of the "Vexatious Litigant" declaration has been heard.

AND FOR ANY ORDER abridging the time or mode of service or dispensing with any documents or amending any error or omission which this Honourable Court may allow.

THE GROUNDS ARE THAT

1. In the Feb 28 2023 letter, Respondent wrote that Canada

intends to seek directions or orders: (4) That the Motion be heard orally, together with the underlying appeal...

2. The Written Representations in the Motion to declare the Appellant a "Vexatious Litigant" are virtually identical to its Memorandum in Federal Court whose issues are being appealed and in its Appeal Memorandum.

3. The Motion to declare Appellant a "Vexatious Litigant" should be heard after the appeal against the "Vexatious Litigant" Federal Court Declaration is heard, not before.

Dated at Brantford on Jun 22 2023



For the Appellant/Respondent
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APPLICANT'S WRITTEN REPRESENTATIONS

1. In Para.4 of the Jun 15 2023 Reasons for Order of Justice Laskin, he notes that Turmel has not filed a response in the motion.

2. In the February 28 2023 letter of Jon Bricker, he stated:

Canada advised of its intention to bring a motion for an order declaring the appellant a vexatious litigant in the Federal Court of Appeal (the "Motion")..

Specifically, Canada intends to seek directions or orders:

4. That the Motion be heard orally, together with the underlying appeal; and

3. Since the Memorandum in the Application in Federal Court is virtually identical to the Memorandum in the Appeal and the Written Representations in the Motion, and since my Memorandum below and in appeal have been filed, it seemed superfluous to file the same arguments a third time when they were to be raised at the same appeal hearing.

4. Respondent erred in presenting the Motion to extend the Federal "Vexatious Litigant" Order now under appeal to the Court of Appeal before it could be sustained by the Court of Appeal because it now prejudices the appeal.

5. Unfortunately, this Court acted on the Motion for a "Vexatious Litigant" declaration before the appeal of the Federal Court 'Vexatious Litigant" Order and so did not have the benefit of my response on the appeal.

6. What if the Appeal Court should find that the litigations brought had some merit and sets aside the Declaration from below. What do do about the premature Declaration herein?

7. Because my failure to file a repeat of my Appeal Memorandum response was because I believed it would be dealt with at the underlying appeal, Applicant/Appellant asks that the decision on the unresponded-to Motion raised prematurely by Respondent be reconsidered or adjourned until after the appeal is adjudicated.

Dated at Brantford on Jun 22 2023



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File No. A-265-22

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