

Federal Court



Cour fédérale

Date: 20160825

Docket: T-1081-16

Citation: 2016 FC 967

Ottawa, Ontario, August 25, 2016

PRESENT: The Honourable Mr. Justice Locke

BETWEEN:

DARREN ROSS NODDLE

Plaintiff

and

HER MAJESTY THE QUEEN

Defendant

JUDGMENT AND REASONS

[1] **UPON** motion in writing by the defendant for, among other things, an Order striking out the statements of claim in court file numbers T-1081-16, T-1195-16, and T-1196-16 in their entirety, without leave to amend;

[2] **AND HAVING** considered the defendant's submissions;

[3] **AND BEING** satisfied that service of the defendant's motion record was made upon the plaintiff as contemplated in the Order of Prothonotary Mireille Tabib dated August 11, 2016;

[4] **AND NOTING** the absence of any responding motion materials on behalf of the plaintiff served and filed within the delay contemplated by Prothonotary Tabib;

[5] **AND BEING** satisfied that the allegations made in the statements of claim in issue are substantially the same as those made in many other proceedings, before both this Court and other courts, that have been dismissed as an abuse of process;

JUDGMENT

THIS COURT'S JUDGMENT is that:

1. The plaintiff's statements of claim in court file numbers T-1081-16, T-1195-16, and T-1196-16 are struck out without leave to amend.
2. The actions in the above-listed files are dismissed.
3. The defendant shall have costs in the amount of \$500.00.

“George R. Locke”

Judge

FEDERAL COURT

SOLICITORS OF RECORD

DOCKET: T-1081-16

STYLE OF CAUSE: DARREN ROSS NODDLE v HER MAJESTY THE
QUEEN

**MOTION IN WRITING CONSIDERED AT OTTAWA, ONTARIO PURSUANT TO
RULE 369 OF THE FEDERAL COURTS RULES**

REASONS FOR JUDGMENT AND JUDGMENT: LOCKE J.

DATED: AUGUST 25, 2016

SUBMISSIONS:

Ms. Christa Hook

FOR THE DEFENDANT

SOLICITORS OF RECORD:

William F. Pentney
Deputy Attorney General of Canada
Vancouver, British Columbia

FOR THE DEFENDANT