

Federal Court



Cour fédérale

Date: 20220912

Docket: T-516-21

Citation: 2022 FC 1282

Toronto, Ontario, September 12, 2022

PRESENT: Justice Andrew D. Little

BETWEEN:

**NATIONAL BANK OF CANADA, THE TORONTO-DOMINION BANK,
BANK OF NOVA SCOTIA, BANK OF MONTREAL and
CANADIAN IMPERIAL BANK OF COMMERCE**

Applicants

and

SUFIAN ZUHDI TAHA

Respondent

JUDGMENT AND REASONS

[1] The applicants seek a vexatious litigant Order in respect of the respondent, Mr Sufian Z. Taha, under subsection 40(1) of the *Federal Courts Act*, RSC 1985, c F-7.

[2] The applicants are National Bank of Canada, The Toronto-Dominion Bank, Bank of Nova Scotia, Bank of Montreal and Canadian Imperial Bank of Commerce. They submit that the respondent has persistently instituted vexatious proceedings and has conducted proceedings in a

vexatious manner in the Federal Court and in the courts of Prince Edward Island (“PEI”). They ask that the Court make an Order that Mr Taha be declared a vexatious litigant and be required to seek leave of the Court before commencing or continuing any proceedings in the Federal Court.

[3] For the reasons that follow, the application will be granted.

I. **Events Leading to this Application**

[4] In these reasons, I refer to Mr. Taha as the “respondent”, which is his role in this application, even though he played other roles in the various lawsuits described below.

A. **Mortgage Proceedings and Counterclaim in PEI**

[5] In April 2017, National Bank commenced proceedings against the respondent and his spouse in the Supreme Court of PEI seeking the sum of approximately \$64,400 owed under a mortgage that was in default for failure to pay property taxes. By the time the bank commenced that proceeding, the mortgaged property had been sold by the government of PEI owing to the unpaid property taxes.

[6] In May 2017, the respondents filed a Statement of Defence and Counterclaim denying the bank’s claim and seeking general damages in the amount of \$1 million, and punitive and exemplary damages in the amount of \$500,000. The counterclaim contained allegations against the bank and the Government of PEI (which was not a party to the lawsuit) relating to the tax sale of the respondent’s property; alleged illegal, immoral and arbitrary actions by the government; alleged usurious loan practices; and the respondent’s constitutional rights including his religious freedom.

[7] The bank filed a motion for summary judgment and to dismiss the counterclaim. The PEI Supreme Court (*per* Gormley J.) granted summary judgment in favour of National Bank and dismissed the counterclaim, with costs payable to National Bank in the amount of \$5,000: *National Bank v S. Taha and K. Taha*, 2019 PESC 14. The PEI Court of Appeal dismissed Mr Taha’s appeal, with costs: *Taha & Taha v National Bank*, 2020 PECA 4 (*per* Murphy J, with Jenkins CJ, and Mitchell J concurring). In considering costs, the PEI Court of Appeal noted that the primary issue of mortgage default was fairly narrow and not complex, but the appeal proceeding was made more complex because Mr Taha engaged in “superfluous correspondence” and introduced “wide-ranging unmeritorious and often non-justiciable defences and claims” (at para 50).

B. Other Proceedings in the PEI Courts

[8] The respondent has an earlier history of litigation in the PEI courts arising from the tax sale of the mortgaged property, which was described by the PEI Court of Appeal in *Taha v Government of PEI*, 2018 PECA 18, at paras 2-4.

[9] In addition, in 2018 and 2019, the respondent commenced at least ten more proceedings in the PEI courts. These lawsuits followed the tax sale of the property, but preceded the hearing of the motion for summary judgment described above.

[10] In April 2018, the respondent sued National Bank for general damages in the amount of \$100,000,000 and punitive and exemplary damages in the amount of \$246,000,000. Clements CJ of the PEI Supreme Court exercised the court’s extraordinary power under the PEI *Rules of Civil Procedure* to strike out the statement of claim as frivolous, vexatious or otherwise an abuse of

process of the court: *Taha v National Bank of Canada*, 2018 PESC 29. The legal test applied by the court was whether the proceeding was “obviously vexatious on its face”: at para 26, applying *Taha v Government of PEI*, 2018 PECA 18, at para 6.

[11] The respondent appealed. The PEI Court of Appeal quashed the appeal on the basis that it was “clearly devoid of merit”, with costs in the amount of \$1,500: *Taha v National Bank of Canada*, 2019 PECA 2. The respondent sought leave to appeal to the Supreme Court of Canada, which that Court denied. The respondent filed a motion requesting the Supreme Court of Canada to reconsider its decision; the Registrar advised the parties that the motion could not be accepted for filing.

[12] In August 2018, the respondent filed a statement of claim against the lawyer who represented National Bank in the original defaulted mortgage lawsuit, seeking general damages in the amount of \$500,000 and punitive and exemplary damages in the amount of \$500,000. Chief Justice Clements summarily dismissed the claim on its face as frivolous, vexatious or otherwise an abuse of process of the court, with costs: *Taha v Williams*, 2018 PESC 33. The respondent appealed. The PEI Court of Appeal quashed the appeal on the basis that it was manifestly devoid of merit or substance, with costs: *Taha v Williams*, 2019 PECA 11.

[13] In September 2018, the respondent filed a second action against the same lawyer, seeking general damages in the amount of \$100,000. This claim was nearly identical to the first one. Chief Justice Clements again summarily dismissed the proceeding as frivolous, vexatious or otherwise an abuse of process of the court, with costs: *Taha v Williams*, 2019 PESC 4. The

respondent again appealed. The PEI Court of Appeal again quashed the appeal, with costs: *Taha v Williams*, 2019 PECA 15. The Court of Appeal stated, at paragraphs 8-9:

[8] I have reviewed the record and have concluded that the appeal is manifestly devoid of merit or substance and that the proceeding is an abuse of process. As a result, the motion to quash the appeal should succeed. My reasons are as follows:

[9] The statement of claim is nearly 10 pages and 29 paragraphs and does not illustrate any known legal cause of action. The claim includes hyperbolic argument, opinion, rhetoric, and scandalous allegations related to the Government's "*extortionate regime of taxation on the masses;*" "*institutionalized fraud of the banking sector;*" collusion by the bank's solicitor to shield ongoing efforts of the bank regarding fraudulent activities relating to "*enslaving loans and mortgages.*" The Government [of PEI] is not a party to the proceeding, and the respondent as a lawyer was acting for the National Bank and not for the Government. The relief sought is not something that can be granted by the court.

[Original italics.]

[14] Also in September 2018, the respondent sued the employee of National Bank whose affidavits were filed to support National Bank's summary judgment motion in the original defaulted mortgage action, seeking \$500,000 in general damages and \$100,000 in punitive and exemplary damages. Like the previous claims, Clements CJ summarily dismissed this claim as frivolous, vexatious or otherwise an abuse of process of the court, with costs: *Taha v Henry*, 2019 PESC 11. The respondent again appealed. The PEI Court of Appeal again quashed the appeal, with costs: *Taha v Henry*, 2019 PECA 16.

[15] In addition to these proceedings:

- a) in November 2019, the respondent and his spouse commenced a proceeding against National Bank. The status of this proceeding is unclear on the current record;
- b) the respondent commenced proceedings against Chief Justice Clements of the PEI Supreme Court. It was summarily dismissed as frivolous, vexatious or otherwise an abuse of process of the court: *Taha v Clements*, 2019 PESC 23 (appeal dismissed in *Taha v Clements*, 2021 PECA 5, finding the proceeding to be frivolous and vexatious and the appeal to be entirely devoid of merit);
- c) the respondent commenced proceedings against the Chief Justice of PEI and two other Justices of the PEI Court of Appeal. That claim, which was 83 pages and 299 paragraphs in length, was summarily dismissed as frivolous, vexatious or otherwise an abuse of process of the court and because of the doctrine of judicial immunity: *Taha v Jenkins, Murphy, and Mitchell*, 2019 PESC 50;
- d) the respondent commenced proceedings against the Justice of the PEI Supreme Court who dismissed his claim against the three Justices of the PEI Court of Appeal. This claim was also summarily dismissed as frivolous, vexatious or otherwise an abuse of process of the court: *Taha v Campbell*, 2021 PESC 13.

[16] The evidence on this application also disclosed:

- a) the respondent had 11 outstanding unpaid costs Orders against him as of November 2020 when the supporting affidavit on this application was filed; and
- b) the respondent has written complaint letters concerning his various claims against the applicants and other parties to the Royal Canadian Mounted Police (the

“RCMP”), the Canadian Judicial Council (the “CJC”), the Prime Minister of Canada, every member of Parliament, media outlets located on PEI and elsewhere, and local police departments on PEI.

[17] In late 2021, the Attorney General of Prince Edward Island obtained an Order declaring the respondent a vexatious litigant: *Attorney General (PEI) v Taha*, 2021 PESC 43.

C. Federal Court Proceedings

[18] In 2019 and 2020, the respondent commenced four proceedings in this Court:

- a) By statement of claim filed on November 25, 2019 (Court File T-1902-19), the respondent sued National Bank, the Government of Canada and the Bank of Canada for general damages in the amount of \$50,000,000, unspecified special damages, and punitive and exemplary damages in the amount of \$5,616,000,000,000. The statement of claim is over 150 pages in length and contains almost 400 paragraphs.
- b) By statement of claim filed on March 30, 2020 (Court File T-429-20), the respondent sued each of the five applicant financial institutions on this application, the Government of Canada, the Bank of Canada, and the Governments of each province and territory in Canada, for general damages in the amount of \$100,000,000 and punitive and exemplary damages in the amount of \$5,616,000,000,000. The statement of claim is over 200 pages in length and contains over 450 paragraphs.
- c) By statement of claim filed on May 11, 2020 (Court File T-538-20), the respondent commenced another action in this Court against National Bank, the Government of Prince Edward Island, the Government of Canada and the RCMP. This claim sought general damages in the amount of \$100,000,000, unspecified special damages and

punitive and exemplary damages in the amount of \$10,000,000. The statement of claim is over 250 pages in length and contains over 500 paragraphs.

- d) By statement of claim filed on July 10, 2020 (Court File T-734-20), the respondent commenced another action in this Court against National Bank, the Government of Prince Edward Island, the Government of Canada and the CJC. The claim sought general damages in the amount of \$50,000,000, unspecified special damages, and punitive and exemplary damages in the amount of \$200,000,000,000. The statement of claim is about 270 pages in length and contains almost 500 paragraphs.

[19] The defendants in the four proceedings in this Court filed motions to strike out the respondent's statements of claim. In four Orders dated April 28, 2021, this Court struck out each of the pleadings, without leave to amend. The Court made the Orders because it was plain and obvious that the statements of claim disclosed no reasonable cause of action and it met the definition of a scandalous, frivolous and vexatious pleading. The Court also found that each of the statements of claim was an abuse of process, stating that each pleading was:

... yet another attempt by the Plaintiff to bring to a court a statement of claim arising out of the same grievances, and in respect of the same or similar facts or matters. Numerous statements of claim, afflicted by the same fatal defects as noted above, were earlier dismissed by the Courts of PEI. At least three other similar Statements of Claim have been filed in this Court, all substantially repeating the same allegations. As such, the Statement of Claim constitutes an abuse of process that also justifies it being struck without leave to amend.

[20] An example from the four statements of claim filed in this Court will illuminate the character and some of the content of the pleadings.

[21] In Court File T-734-20, the respondent sued the Government of Canada, Bank of Canada, the CJC and National Bank. The claim initially refers to the respondent's complaints to the CJC about the judiciary in PEI and a specific complaint he filed to the CJC about one member of the PEI courts, with a long quotation from a letter the respondent sent to the CJC expressing his "frustration" after his complaint was dismissed.

[22] The statement of claim then describes that the respondent's communications with the RCMP about allegations of usurious conduct and "institutionalized fraud of the Money Production Cartel" of financial institutions, and his complaints against judges and lawyers. The claim then returns to complaints to the CJC and describes his filed claims in the courts of PEI against lawyers and judges in that province, including lengthy excerpts from one claim and long excerpts from several complaints to the CJC arising from his PEI litigation. The claim then refers to a further complaint letter to the CJC connecting his allegations against the judiciary in PEI with the COVID-19 pandemic, including long quotations from a religious text.

[23] The claim continues on at extraordinary length. In Part VI, starting at page 116, a "chronology" of "facts" begins. The following pages set out allegations about the respondent's various claims filed in PEI against the financial institutions, the National Bank's legal counsel, the National Bank's employee/witness and the members of the judiciary in PEI.

[24] From pages 120 to 148, there is a section with the title "Material Facts, Rationale and Legal Grounds for the Assertions against the Defendants". That section of the statement of claim makes allegations about the PEI judiciary and makes long statements under 26 headings each

titled “Statement of Argument”. Each of the 25 Statements of Argument is several paragraphs (or pages) long. Many contain lengthy excerpts from other documents, in particular a religious text.

[25] From pages 148 to 250, there are four more sections, each with the same overall title (“Material Facts, Rationale and Legal Grounds for the Assertions against the Defendants”). They contain (respectively) 39, 35, 5 and 2 paragraphs described as “Statements of Argument” which are of comparable length and content to the one described immediately above.

[26] A section entitled “Conclusion” occupies pages 250-270 of the statement of claim.

D. Consent of the Attorney General of Canada

[27] By consent dated October 13, 2020, the Attorney General of Canada consented to the applicants filing an application under subsection 40(1) of the *Federal Courts Act*, as required by subsection 40(2) of the *Federal Courts Act*.

II. The Hearing of this Application

[28] The applicants filed their Notice of Application on March 23, 2021.

[29] The respondent did not file a Notice of Appearance in response to the applicants’ Notice of Application. There were email communications between the Court and the parties in November 2021, including a letter from the respondent that requested time to prepare. It also clarified his address and confirmed his telephone number.

[30] By Order dated January 24, 2022, the Court provided notice to the parties of the hearing of this application by videoconference on February 24, 2022.

[31] The respondent did not appear at the beginning of the hearing on February 24, 2022. Although neither the Registry nor counsel for the applicants had any indication since November 2021 that the respondent might appear at the hearing, we recessed in case the respondent was late or having technical difficulties. During the recess, I confirmed that the Registry notified the respondent of Court's Order setting down the hearing by videoconference for February 24, 2022. However, the respondent had not responded by confirming receipt of that notice. Nor had he otherwise displayed any intention to participate. As a result, and consistent with the Registry's practices, he had not been sent the videoconference link for the hearing.

[32] The hearing resumed. Out of an abundance of caution and after hearing from the applicants' counsel, the Court recessed again to allow the Registry to send the respondent an email advising that the hearing had commenced and to enclose a link to the videoconference. The Registry also attempted to contact the respondent by telephone during the second recess, twice, without success and was unable to leave a message.

[33] Upon resuming approximately 2.5 hours after the original opening of the hearing, the respondent did not appear to participate. The applicants made submissions. At the end of the hearing, I reserved my decision. The Court file contains no communications from the respondent since that time.

III. Analysis

A. Legal Principles

[34] The Federal Court of Appeal has set out the legal principles for vexatious litigant applications under subsection 40(1) in several recent cases: *Canada v Olumide*, 2017 FCA 42, [2018] 2 FCR 328; *Simon v Canada (Attorney General)*, 2019 FCA 28 (“*Simon FCA*”); *Canada (Attorney General) v Yodjeu*, 2019 FCA 178; *Canada (Attorney General) v Fabrikant*, 2019 FCA 198; *Coady v Canada (Attorney General)*, 2020 FCA 154.

[35] In addition, this Court has recently summarized and applied the principles in *Canada (Attorney General) v Simon*, 2022 FC 1135 (“*Simon FC 2022*”); *Canada (AG) v Ubah*, 2021 FC 1466; and *Birkich v Monashee Land Surveying and Geometrics Ltd*, 2021 FC 1278. See also: *Rooke v Williams*, 2020 FC 1070; *Mahoney v Canada*, 2020 FC 975.

[36] In summary:

- Subsection 40(1) refers to a person who has “persistently instituted vexatious proceedings or has conducted a proceeding in a vexatious manner”.
- Courts are community property available to everyone, but access may be restricted in some circumstances in order to protect the finite resources of the Court from being diverted away from dealing with other proceedings involving allegations deserving of a proper share of the Court’s attention.
- A declaration under subsection 40(1) that a litigant is vexatious does not bar the litigant’s access to the Federal Court. Rather, it only regulates the litigant’s

access to the courts: the litigant need only obtain permission from the Court before starting or continuing a proceeding: *Olumide*, at para 27.

- Under subsection 40(1), the Court may create an extra layer of regulation and monitoring where necessary to prevent some litigant from squandering judicial resources by duplicative proceedings, pointless litigation, the style or manner of their litigation, their motivations, intentions, attitudes and capabilities while litigating, or any combination of these things: *Simon FC 2022*, at para 24, citing *Simon FCA*, at paras 15-16.
- Previous cases have listed non-binding *indicia* or common hallmarks suggesting vexatiousness: see, e.g., *Fabrikant*, at para 25. Stratas JA stated in *Olumide*, at para 32:

Vexatiousness comes in all shapes and sizes. Sometimes it is the number of meritless proceedings and motions or the reassertion of proceedings and motions that have already been determined. Sometimes it is the litigant's purpose, often revealed by the parties sued, the nature of the allegations against them and the language used. Sometimes it is the manner in which proceedings and motions are prosecuted, such as multiple, needless filings, prolix, incomprehensible or intemperate affidavits and submissions, and the harassment or victimization of opposing parties.

- In *Yodjeu*, de Montigny JA provided the following *indicia*: “filing frivolous and inconsistent proceedings, seeking relief or remedies outside the jurisdiction of this Court, making unfounded allegations of improper conduct against the opposing party, that party's solicitors and the Court, failing to meet the deadlines and comply with the rules of the Courts, raising again questions that

have already been decided, and non-payment of costs awarded against them”:

Yodjeu, at paras 18-19.

- However, each application under subsection 40(1) must be determined on its own facts and circumstances.
- The burden is on the applicants to show vexatiousness. However, as a practical matter, due to the weight that the Court may give to other courts’ findings of vexatiousness, a respondent may have to offer highly credible evidence to resist an application under subsection 40(2): *Olumide*, at para 38.

[37] The threshold question is: does the litigant’s ungovernability or harmfulness to the court system and its participants justify a leave-granting process for any new proceedings or to continue existing proceedings? (*Simon FCA*, at paras 18 and 26; *Lessard-Gauvin c Canada (Procureur général)*, 2021 CAF 94, at para 8.) The Court should also consider whether the additional layer of regulation supplied by a vexatious litigant order is necessary and consistent with the purposes of subsection 40(2): *Olumide* at paras 17-24, 27 and 31; *Fabrikant*, at para 19; *Simon FCA*, at paras 9-10, 18 and 26; *Ubah*, at para 43.

B. The Present Application

[38] In this case, it is appropriate to make an Order under subsection 40(1) that regulates the respondent’s access to the Federal Court.

[39] The starting point is that the PEI Supreme Court has declared the respondent to be a vexatious litigant, applying substantially the same legal principles that this Court applies under subsection 40(1): *Attorney General (PEI) v Taha*, 2021 PESC 43, esp. at paras 3, 7-10 and 30-

31. This is a relevant factor to which this Court may give considerable weight: *Olumide*, at para 37, citing *Toronto (City) v CUPE, Local 79*, 2003 SCC 63, [2003] 3 SCR 77; *Simon FCA*, at para 25; *Simon FC 2022*, at paras 50-51. I do so, having read both the PEI court's reasons together with the supporting affidavit and exhibits found in the Application Record before this Court that relate to the proceedings in the PEI courts: see *Olumide*, at para 38.

[40] Second, the respondent's conduct in the PEI and Federal Court proceedings described above bears many hallmarks of a litigant who persistently commences and pursues vexatious proceedings. Even before he was unsuccessful in the initial litigation on both National Bank's claim and his counterclaim, the respondent commenced separate proceedings against that bank. Those proceedings were summarily dismissed as frivolous, vexatious and an abuse of process. The applicant also commenced numerous new proceedings against individuals involved in the initial proceedings – against counsel for National Bank, against the employee/witness of National Bank, and then against members of the judiciary in PEI at both the Supreme Court and Court of Appeal who had participated in rulings against the respondent. All of these proceedings were summarily dismissed as frivolous, vexatious and an abuse of process. Appeals were similarly quashed or dismissed as devoid of merit.

[41] Overall, in the PEI courts, the respondent commenced many actions that have been dismissed as vexatious, that contained overlapping allegations and that often included claims for exaggerated sums of money as purported damages and punitive or exemplary damages. At least five appeals have been dismissed as frivolous and vexatious. Five actions against National Bank, two actions against its former counsel and another against its employee have been dismissed on

the same basis. The respondent's claim against the judge who dismissed several of his actions in the PEI courts was dismissed on the same basis, as was the respondent's lawsuit against the three appeal judges who quashed his appeals and his lawsuit against the judge who issued the latter Order.

[42] The large number of meritless claims commenced by the respondent in the PEI courts, the basis for their summary dismissal, the identity of the putative defendants and the repetitious pattern of the baseless allegations all indicate that the respondent acted vexatiously as contemplated by subsection 40(1). See *Simon FC 2022*, at paras 33-40; *Birkich*, at paras 22-23; *Mahoney*, at paras 14-15.

[43] Recognizing the legal burden on the applicants, I note that the respondent did not seek to explain, justify or provide any evidence or submissions to provide his perspective on his various lawsuits. The vexatious litigant Order made by the PEI Supreme Court and the PEI courts' conclusions about the frivolous and vexatious nature of the respondent's actions and appeals are factors that are unanswered by the respondent on the present application: *Olumide*, at para 38; *Simon FCA*, at para 20; *Rooke* at para 19.

[44] Third, the respondent commenced four proceedings in this Court, which have also been struck out as frivolous, vexatious and an abuse of process, without leave to amend. This Court's April 2021 conclusions about the respondent's four statements of claim and my own review of those pleadings are consistent with the legal conclusions reached by the PEI courts.

[45] The four statements of claim filed in this Court are extraordinarily long. They all contain protracted improper and non-justiciable contents that have no possible bearing on any legal determination by the Federal Court. They repeat allegations and complaints made to other courts and decision makers (such as the CJC) that have already been dismissed or denied and which have been determined to be improper in a pleading.

[46] In the Federal Court lawsuits, the respondent also enlarged his claims by commencing actions against numerous Canadian governments, the Bank of Canada, and several financial institutions that had no involvement in the original PEI actions. The respondent also sued parties, including the RCMP and the CJC, to which he had complained but which apparently did not do what he wanted them to do.

[47] I am unable to conclude that the respondent commenced the four Federal Court proceedings for a proper purpose, such as to pursue any legitimate or justiciable right. Instead, those lawsuits seek other objectives, including serving as a vehicle to air the respondent's purported grievances, complaints and views concerning matters that are beyond the purview of Canadian courts (including the Federal Court) and concerning his already-dismissed lawsuits in PEI and his complaints to the CJC. There may well be other improper purposes too.

[48] Finally, the respondent has a large number of costs Orders against him that, on the evidence, remain unpaid.

[49] These circumstances lead to the conclusion that the respondent has persistently instituted vexatious proceedings as contemplated by subsection 40(1) of the *Federal Courts Act*. Over the past several years, the respondent's repeated filing of vexatious and unmeritorious claims and appeals has hoovered up considerable time and resources of the Federal Court, the PEI Supreme Court, the PEI Court of Appeal and their respective Registries, as well as the time and financial resources of many of the defendants. The respondent has been declared a vexatious litigant in the PEI courts. The circumstances demonstrate satisfactorily that harm has already been caused to the court systems in PEI and in the Federal Court. The repetitious frivolous content of the respondent's pleadings and the persistently vexatious manner in which has commenced and conducted the lawsuits and appeals also demonstrate, on a balance of probabilities, that the respondent is ungovernable. See *Simon FCA*, at paras 18 and 26.

[50] Accordingly, an extra layer of regulation is necessary in this Court to ensure that the respondent's commencement and pursuit of frivolous and vexatious proceedings do not deprive proper litigants of their share of the finite resources of the Court and its Registry. The respondent will have to seek leave of the Court to commence a new proceeding or to continue any existing proceeding in the Federal Court.

IV. **Conclusion**

[51] The application is therefore allowed. The Court will grant an Order in substantially the form requested by the applicants. The applicants are entitled to costs. In the exercise of my discretion under the *Federal Courts Rules*, costs are fixed at \$1,500, inclusive of taxes and disbursements.

JUDGMENT in T-516-21

1. The application is allowed. The Court declares that the respondent is a vexatious litigant and has persistently instituted vexatious proceedings, as contemplated in subsection 40(1) of the *Federal Courts Act*.
2. The respondent shall not institute new proceedings in the Federal Court, except by leave of the Federal Court. This includes proceedings in his own name, individually or jointly with any other person, and whether he is acting for himself or having his interests represented by another person in this Court.
3. Any proceedings already instituted by the respondent in the Federal Court shall not be continued and are stayed. The stay shall not be lifted and the proceedings shall not continue except by leave of the Federal Court.
4. Leave under paragraphs 2 and 3 of this Order shall only be obtained on a motion filed in accordance with the *Federal Courts Rules*.
5. The respondent shall pay costs of this application to the applicants in the all-inclusive amount of \$1,500.

"Andrew D. Little"

Judge

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: T-516-21

STYLE OF CAUSE: NATIONAL BANK OF CANADA, THE TORONTO-DOMINION BANK, BANK OF NOVA SCOTIA, BANK OF MONTREAL and CANADIAN IMPERIAL BANK OF COMMERCE v SUFIAN ZUHDI TAHA

PLACE OF HEARING: TORONTO, ONTARIO

DATE OF HEARING: FEBRUARY 24, 2022

ORDER AND REASONS: A.D. LITTLE J.

DATED: SEPTEMBER 12, 2022

APPEARANCES:

Steven Forbes and Melanie
McKenna

FOR THE APPLICANTS

No one appearing for the
respondent

SOLICITORS OF RECORD:

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FOR THE APPLICANTS