

**Federal Court of Appeal**



**Cour d'appel fédérale**

**Date: 20130910**

**Docket: A-482-12**

**Citation: 2013 FCA 204**

**CORAM: NADON J.A.  
GAUTHIER J.A.  
WEBB J.A.**

**BETWEEN:**

**VLASTA STUBICAR**

**Appellant**

**and**

**DEPUTY PRIME MINISTER AND MINISTER OF PUBLIC SAFETY AND  
EMERGENCY PREPAREDNESS**

**Respondent**

Heard at Ottawa, Ontario, on September 10, 2013.

Judgment delivered from the Bench at Ottawa, Ontario, on September 10, 2013.

**REASONS FOR JUDGMENT OF THE COURT BY:**

**WEBB J.A.**

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**REASONS FOR JUDGMENT OF THE COURT**

(Delivered from the Bench at Ottawa, Ontario, on September 10, 2013)

**WEBB J.A.**

[1] In Appeal A-482-12, the appellant is appealing the Order of Tremblay-Lamer, J. dated November 6, 2012. In that Order the Judge dismissed the appellant's motion requesting that the substance of the Direction issued by the same Judge on October 16, 2012, be set out in an Order. The Direction stated that the motion of the Appellant to vary the Direction of Prothonotary Aronovitch on May 7, 2012 is moot. The May 7, 2012 Direction was that the Appellant's then

recently filed motion in T-618-12 could proceed to an oral hearing on May 24, 2012, to be heard with three other motions of the Appellant.

[2] The Appellant's objection to this Direction is that she did not want the recently filed motion to be heard with the other motions but rather she wanted it to be dealt with in writing.

[3] Since the motion in T-618-12 was not heard on May 24, 2012 and to date, has not been heard (nor has any decision been rendered based on the written submissions), the Direction dated May 7, 2012 that the Motion could be heard with three other motions on May 24, 2012 is moot. The subsequent Direction simply confirms this. Even if the substance of the Direction dated October 16, 2012 were to be set in an Order, the Direction dated May 7, 2012 would still be moot. The Appellant's appeal from the Order dated November 6, 2012 will be dismissed with costs as set out in the reasons for the Appeal A-454-12. Whether there will be an oral hearing for the Appellant's motion in T-618-12 or the motion will be decided on the basis of written representations as provided in Rule 369 of the *Federal Courts Rules* is a matter for the Federal Court to determine.

“Wyman W. Webb”

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J.A.