

Federal Court



Cour fédérale

Date: 20160317

Docket: IMM-1128-16

Citation: 2016 FC 326

Ottawa, Ontario, March 17, 2016

PRESENT: The Honourable Madam Justice Simpson

BETWEEN:

**AIGARS INDZERS, EVITA DZLINA, and
LUI KELVINS INDZERS**

Applicants

and

**THE MINISTER OF PUBLIC SAFETY AND
EMERGENCY PREPAREDNESS**

Respondent

ORDER AND REASONS

[1] **UPON MOTION** made to this Court by the Applicants for an Order staying their removal to Latvia, scheduled to take place on Friday, March 18, 2016 at 20:10 p.m. [the Motion], until such time as the adult Applicants' son, Lui Kelvins Indzers, finishes school on June 29, 2016;

[2] **AND UPON** considering the evidence and submissions contained in the materials filed by Counsel for the Applicants and the Respondent;

[3] **AND UPON** hearing oral submissions of Counsel for all parties in Ottawa, Ontario, on March 17, 2016, via teleconference;

[4] **AND UPON** determining that the conjunctive tripartite test, set out in *Toth v Canada (Minister of Employment and Immigration)* (1988), 86 NR 302 (FCA), that must be satisfied before a stay can be granted, has been satisfied in this case;

THIS COURT ORDERS that the Motion is granted on the following terms:

The Applicants are not to be removed on or before July 6, 2016 [the Date] but the Respondent may issue a Direction to Report and make all the necessary arrangements for removal prior to the Date so that removal can be accomplished promptly after the Date is reached.

“Sandra J. Simpson”

Judge

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: IMM-1128-16

STYLE OF CAUSE: AIGARS INDZERS, EVITA DZLINA, AND LUI
KELVINS INDZERS v THE MINISTER OF PUBLIC
SAFETY AND EMERGENCY PREPAREDNESS

PLACE OF HEARING: OTTAWA, ONTARIO

DATE OF HEARING: MARCH 17, 2016

ORDER AND REASONS: SIMPSON J.

DATED: MARCH 17, 2016

APPEARANCES:

Yehuda Levinson FOR THE APPLICANTS

Lucan Gregory FOR THE RESPONDENT

SOLICITORS OF RECORD:

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