

Federal Court



Cour fédérale

Date: 20160825

**Dockets: T-1079-16
T-1177-16
T-1178-16
T-1179-16
T-1180-16
T-1182-16**

Citation: 2016 FC 966

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 an Order:

- a) Consolidating the plaintiff's six statements of claim, bearing court file numbers T-1079-16, T-1177-16, T-1178-16, T-1179-16, T-1180-16, and T-1182-16, into one proceeding under court file number T-1079-16;

- b) Striking out the statements of claim as against Her Majesty the Queen without leave to amend; and
- c) Granting the defendant her costs;

[2] **AND HAVING** considered the submission of the parties;

[3] **AND UPON** noting that, in view of the striking out (without leave to amend) of the plaintiff's statement of claim in court file number T-197-16, the plaintiff is not entitled to reassert claims similar to those made therein;

[4] **AND UPON** noting that the plaintiff is also not entitled to assert any claims before this Court that do not fall within the jurisdiction of the Federal Court;

[5] **AND BEING** satisfied that none of the plaintiff's allegations in court file numbers T-1079-16, T-1177-16, T-1178-16, T-1179-16, T-1180-16, and T-1182-16 satisfies the two criteria of (i) not reasserting claims similar to those made in court file number T-197-16, and (ii) falling within the jurisdiction of the Federal Court;

[6] **AND UPON** concluding that it is not necessary to decide whether the statements of claim in issue should also be struck as scandalous, frivolous, or vexatious;

[7] **AND BEING** satisfied that consolidation is appropriate here due to the commonality of the parties, issues, facts, and remedies, as well as the absence of prejudice to the plaintiff;

JUDGMENT

THIS COURT’S JUDGMENT is that:

1. The plaintiff’s statements of claim in court file numbers T-1079-16, T-1177-16, T-1178-16, T-1179-16, T-1180-16, and T-1182-16 are consolidated into one proceeding under T-1079-16.
2. The plaintiff’s statements of claim in the above-listed files are struck out without leave to amend.
3. The defendant shall have costs in the amount of \$500.00.

“George R. Locke”

Judge

FEDERAL COURT

SOLICITORS OF RECORD

DOCKETS: T-1079-16, T-1177-16, T-1178-16, T-1179-16, T-1180-16,
T-1182-16

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:

Mr. Darren Ross Noddle

FOR THE PLAINTIFF
(SELF-REPRESENTED)

Mr. Stewart Phillips

FOR THE DEFENDANT

SOLICITORS OF RECORD:

William F. Pentney
Deputy Attorney General of Canada
Toronto, Ontario

FOR THE DEFENDANT