

Federal Court



Cour fédérale

**Date: 20160825**

**Docket: T-1196-16**

**Citation: 2016 FC 969**

**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. Costs of the motion have been addressed in court file number T-1081-16.

“George R. Locke”

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Judge

**FEDERAL COURT**

**SOLICITORS OF RECORD**

**DOCKET:** T-1196-16

**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