Federal Court



## Cour fédérale

Date: 20120918

**Docket: T-478-12** 

**Citation: 2012 FC 1087** 

Toronto, Ontario, September 18, 2012

PRESENT: The Honourable Mr. Justice Near

**BETWEEN:** 

# MAJOR KEYVAN NOURHAGHIGHI AND FARZAD NOUR HAGHIGHI

**Applicants** 

and

# THE MINISTER OF CITIZENSHIP AND IMMIGRATION

Respondent

### **REASONS FOR ORDER AND ORDER**

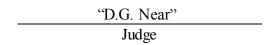
The Applicant Major Keyvan Nourhaghighi has brought two motions seeking to have multiple persons declared to be in contempt of this Court. In my view after reviewing the evidence before me there is absolutely no merit to the Applicant's position with respect to any of the named persons. The Applicant asserts that all of the named parties are acting in some grand conspiracy against him that began more than 25 years ago and continues to this day. There is no evidence to support these allegations.

- [2] With respect to the actions of John Loncar, Brad Gotkin and Jake Schutz, the only named persons who had any recent direct dealings with the Applicant concerning this file, I find that their actions do no amount to contempt in any way. The mere fact that Justice Snider of this Court may have been annoyed with Mr. Loncar and Mr. Gotkin during the motion for adjournment held on June 18, 2012 falls short of meeting the test for contempt. Indeed, if their behaviour had been so extreme there is no doubt that Justice Snider would have dealt with the matter. As such, I find that a *prima facie* case has not been made out against any of the named parties and the motions for contempt are dismissed with costs.
- [3] Counsel for the Law Society of Upper Canada appeared before me and asked that costs be set given the nature of the Applicant's complaints and their ongoing nature. I agree with these submissions and set the costs at \$1,000.00 payable by the Applicant. The \$1,000.00 in costs is to be divided equally in the amount of \$500.00 each between the Respondent, The Minister of Citizenship and Immigration, and the Law Society of Upper Canada.

## **ORDER**

## THIS COURT ORDERS that:

- 1. The Applicant's contempt motions are hereby dismissed.
- 2. The Respondent, The Minister of Citizenship and Immigration and the Law Society of Upper Canada shall have their costs of these motions; such costs are set at \$1,000.00, divided equally in the amount of \$500.00 each between them.



#### FEDERAL COURT

## **SOLICITORS OF RECORD**

**DOCKET:** T-478-12

STYLE OF CAUSE: MAJOR KEYVAN NOURHAGHIGHI AND FARZAD

NOUR HAGHIGHI v THE MINISTER OF CITIZENSHIP

AND IMMIGRATION

**PLACE OF HEARING:** Toronto, Ontario

**DATE OF HEARING:** September 17, 2012

**REASONS FOR ORDER** 

**AND ORDER BY:** NEAR J.

**DATED:** September 18, 2012

**APPEARANCES:** 

Major Keyvan Nourhaghighi FOR THE APPLICANTS

(ON HIS OWN BEHALF)

John Loncar FOR THE RESPONDENT (Minister of Citizenship

and Immigration)

Helen A. Daley FOR THE RESPONDENT

Sean L. Gosnell FOR THE RESPONDENT

Darrell Kloeze FOR THE RESPONDENT

**SOLICITORS OF RECORD:** 

N/A FOR THE APPLICANTS

(ON HIS OWN BEHALF)

Myles J. Kirvan FOR THE RESPONDENT (Minister of Citizenship

Deputy Attorney General of Canada and Immigration)