

Courts of Justice Act

Order

CV-21-86803

Ontario Superior Court

Judge/Officer _____

Wednesday, July 28th, 2021,

Sean von Dehn (plaintiff)

And

The city of Ottawa, Sana Abou-Arraj, Christine Amaro and Celia North (defendants)

ORDER

THIS MOTION, made by the plaintiff, Sean von Dehn, to vacate the Order to dismiss the Statement of Claim, CV-21-86803, commenced on June 18th, 2021 under Rule 2.1.01(6), and made by Sally A. Gomery on July 19th, 2021, and to recuse or suspend the Judge from any further adjudication regarding Statement of Claim (CV-21-86803) filed by the plaintiff, Sean von Dehn.

ON READING the Motion materials provided by the plaintiff by Way of email submission and the supporting documentary evidence, the Statement of Claim does not qualify for dismissal under Rule 2.1.01(6), as no Motion materials were filed with the Court by the defendants on the 22nd of June, as claimed by the defendants. The Motion materials presented to the Judge by the defendants are not admissible because they were made in violation of Rule 1.09, and without notice to the plaintiff. This was communicated to the plaintiff by Way of email, and he was promised fair notice and opportunity to present opposition materials if the defendants chose to file a Motion under Rule 2.1.01(6) in accordance with the Rules of Civil Procedure. The Court asserted that as of June 25th, "no Motion materials had been filed".

Defense counsel withheld this information from the Judge in her 'motions' testimony. No "Motion to the Court" to dismiss under Rule 2.1.01(6) alleged by the defendants in her testimony to the Court was ever filed with the Court of Record on June 22nd. The only known filing with the Court by the defendants is a Notice of Intent to defend filed on Monday, July 12th, 2021.

Rule 2.01 and its subrules provide for the Court Special Powers when the Rules are violated, including the Power to "grant all necessary amendments and relief, on such terms are just, to secure the just determination of the real matters in dispute." This is one of those times. Vacating the order and striking it from the Record is in the best interest of the reputation of Canada's Courts of Justice, and in the interest of fairness for all parties concerned. Fraud and false testimony are abominations on the scales of Justice and cannot be tolerated on the Court of Record.

1. THIS COURT ORDERS that the Order to dismiss under Rule 2.1.01(1-6) made by Sally A. Gomery regarding the Statement of Claim (CV-21-86803) be vacated and stricken from the Record for the misleading testimony presented to these Courts by defense counsel, and for fraud and perjury on the Court of Record. Fraud and perjury are unacceptable on a Court of Record and allowing this order to stand damages the integrity of the Courts, and the Rule of Law.

2. THIS COURT FURTHER ORDERS that

(Judge/Justice) Sally A. Gomery immediately and forever be suspended from any further adjudication regarding this Matter (CV-21-86803) for conflict of interest, and in the interest of the fairness of all parties to these proceedings.

3. THIS COURT FURTHER ORDERS that

The defendants be Noted in default, and that ***all proceedings regarding the Statement of Claim Issued by the plaintiff on June 18th, 2021, (CV-21-86803) be Stayed*** until appropriate measures can be determined by this Honourable Court. Perhaps it may be in the best interest of Justice to have new defense counsel appointed to the defendants and reset the date of Service. I leave this Matter in the Honourable Hands of this capable Court's discretion.

(Signature of judge, officer or registrar)

These are the Wishes of the moving party, plaintiff Sean von Dehn,

King Sean, House of von Dehn,

Hand of Stephen,

Kingdom of God,

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