

SUPERIOR COURT OF JUSTICE - ONTARIO

RE: The Kingdom of Heaven Found a Sean, Plaintiff

AND:

Tanja Johnson, Defendant

AND:

Michael Von Dehn, Defendant

BEFORE: Somji J.

COUNSEL: King Sean of House von Dehn for the Plaintiff

Neil Milton, for the Defendant, Tanja Johnson

Christopher Crisman-Cox, for the Defendant, Michael Von Dehn

HEARD: September 7 2023

ENDORSEMENT

[1] This matter which was scheduled for a full day summary judgment motion today brought by the defendants Michael Von Dehn and Tanja Johnson for dismissal of the plaintiff's Action was adjourned. The reason for the adjournment is set out in my endorsement of September 5, 2023.

[2] The summary judgment motion will proceed on October 23, 2023, at 10 am for 3 hours in-person in Ottawa.

[3] As noted in my endorsement of September 5, 2023, Justice Gomery directed this matter to proceed in person because of concerns about Sean von Dehn's prospective interference with the court process, namely his recording and posting of Zoom court hearings in the past.

[4] Counsel for the defendants requested the court consider a hybrid hearing to allow them to appear virtually. I denied the request. However, I am mindful that defendants' counsel is coming from out of town to proceed in person at considerable time and expense to their clients because of the plaintiff's past conduct. Therefore it is important that the hearing be timely and focused.

[5] Consequently, I have proposed the following timelines for submissions for the three hour summary judgment motion hearing subject, of course, to the views of the motions' judge:

- a. The defendants (moving parties on the SJ motion) will each have 30 minutes for submissions and each have 15 minutes for reply.
- b. The plaintiff (responding party to the SJ motion) will have 45 minutes for submissions.

[6] Given there were moments when the plaintiff was off Zoom, I have ordered a transcript of today's proceeding. There were also multiple instances where the court reporter could not hear the plaintiff due to the poor internet connection.

[7] The defendants have served their respective motion records, but have not received any responding affidavit from the plaintiff. The defendants have also filed factums. All documents have been duly served, and the plaintiff has acknowledged receipt. The defendants are ready to proceed. All deadlines for filings as per timetables set have expired. There should be no further filings on this matter save for costs submissions.

[8] Counsel for the defendants indicate that they will seek costs thrown away.

[9] The plaintiff's representative indicated he wishes to be addressed as King Sean of House von Dehn for the court proceedings.

N Somji

Somji J.

Date: September 7, 2023