

Federal Court



Cour fédérale

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TO / DESTINATAIRE(S) :

1. Name / Nom : Nikolay Chsherbinin

Address / Adresse :

Facsimile / Télécopieur : 416-907-~~2587~~²⁵⁸⁶

Telephone / Téléphone :

2. Name / Nom : David Knapp

Address / Adresse :

Facsimile / Télécopieur : 416-954-8982

Telephone / Téléphone :

3. Name / Nom :

Address / Adresse :

Facsimile / Télécopieur :

Telephone / Téléphone :

4. Name / Nom :

Address / Adresse :

Facsimile / Télécopieur :

Telephone / Téléphone :

FROM / EXPÉDITEUR : Jake Schutz

Telephone / Téléphone : 416-973-3356

Facsimile / Télécopieur : 416-973-2154

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SUBJECT / OBJET : Court File No. IMM-1713-14 order dated 30-JUN-2014

COMMENTS / REMARQUES :

Federal Court



Cour fédérale

Date: 20140630

Docket: IMM-1713-14

Toronto, Ontario, June 30, 2014

PRESENT: Madam Prothonotary Martha Milczynski**BETWEEN:****RINETA CHENHOVA****Applicant****and****MINISTER OF CITIZENSHIP AND
IMMIGRATION****Respondent****ORDER**

UPON MOTION in writing on behalf of the Applicant pursuant to Rule 369 of the *Federal Courts Rules* filed on June 19, 2014 for an Order pursuant to Rule 8(1) of the *Federal Courts Rules* and Rule 21 of the *Federal Courts Immigration and Refugee Protection Rules* extending the time period for serving and filing the Applicant's Affidavit;

AND UPON reviewing the motion record filed on behalf of the Applicant, the motion record filed on behalf of the Respondent opposing the motion, and the Applicant's Reply;

Due to what the Applicant describes as extraordinary circumstances, rather than serving and filing the Applicant's affidavit as part of the Applicant's original round of evidence, the Applicant relied upon her employer to swear out the contents in his own affidavit, on information and belief. The Applicant now seeks to file her own affidavit, which may be seen as re-opening the original round of evidence (through a motion for an extension of time), or as a motion for leave to file a supplementary affidavit. In either case, I am satisfied that given the difficulties for the Applicant to find translation and notary services so that she can file her evidence in compliance with the requirements of the Rules (including R.80) sufficient grounds have been established so as to warrant an extension of time for the Applicant to file her affidavit in support of her application. The affidavit must, however, comply with the Rules.

THIS COURT ORDERS that:

1. The Applicant is granted an extension of time of thirty (30) days from the date of this Order to serve and file her affidavit, commissioned and prepared in accordance with the *Federal Courts Rules*.
2. The time for taking subsequent steps (including the service and filing of a supplementary Respondent's Memorandum of Fact and Law and Application Record) is extended to run accordingly.

"Martha Milczynski"

Prothonotary