

Satinder Dhillon Takes the Fight for Justice and Equality to the Supreme Court of Canada



YAHOO! NEWS

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Satinder Dhillon, 31, a self-represented Plaintiff from British Columbia has filed an application to have his case heard by the Supreme Court of Canada. Dhillon cites the pursuit of justice and truth as being his motive to fight on, despite the lower court decision in British Columbia. Dhillon claims the issue at bar is of national importance and that the lower court decision will negatively impact the rights of many Canadians in the future, if it is left to stand.

Ottawa, Ontario, April 29, 2009 – On February 9, 2009, an application was submitted by Satinder Dhillon, 31, seeking that the Supreme Court of Canada (Court File No. 33003) overturn a ruling handed down by the lower court in British Columbia.

On December 19, 2007, the Honourable Justice McEwan of the Supreme Court of British Columbia pronounced the disputed decision, which effectively threw out Dhillon's lawsuit despite not having been heard on its merits.

Dhillon had filed his original Writ of Summons in March of 2007. There were numerous hearings and while representing himself, Dhillon had received several favourable rulings from the court until Justice McEwan's decision on December 19, 2007.

One of the favorable decisions to Dhillon was pronounced on June 4, 2007, by the Honourable Justice Burnyeat, a noted foreclosure expert during his career as a lawyer in Vancouver, British Columbia.

After a full day of submissions by opposing counsel and Mr. Dhillon, Justice Burnyeat pronounced an order that essentially prevented the misappropriation of any equitable interest Dhillon potentially had, in a property that is at the center of this litigation. The property, located in Surrey, British Columbia, was estimated to be worth \$3 million at the time of the ruling.

"In a highly irregular breach of fiduciary duty by an officer of the court, the Burnyeat order was never filed and registered with the Land Titles Office".

"I currently am awaiting a ruling on a special Motion that has been filed with the Supreme Court of Canada to deal specifically with this breach" said Dhillon.

One week later, on June 11, 2007, the Honourable Justice Groves granted Dhillon the ability to pursue his claim, and adjourned an application brought on by some of the Defendants to have the claim dismissed prematurely.

In a 10-page decision, Justice Groves noted "that the matter appears to be complex ...but Dhillon represents himself, and appears articulate in Court with a large number of banker's boxes".

Dhillon stated that, "the case was moving along just fine and according to schedule in the summer of 2007".

"I was looking forward to finally getting my day in court, but then inexplicably in November and December of 2007, things just fell off the rails".

"I have spoken to many legal professionals across Canada, and they are stunned at what has occurred here in British Columbia".

“In October of 2007, I assisted a friend of mine who was representing himself in a separate case (Court File No. 193466VA99) that was presided over by the Chief Justice of British Columbia - the Honourable Donald Brenner. After those days in court in October of 2007, my fortunes before the British Columbia Judiciary seemed to have turned overnight” (for more information about this case please visit www.justiceandtruthforall.com and www.kiddaa.com or www.kiddaa.ca).

The ruling that Justice McEwan of the lower court pronounced, states that the matter was dismissed “without adjudication on the merits”. Further to this, in the lower court, the Defendant’s counsel requested that the Plaintiff’s signature on the final order be “dispensed” with.

“I very am fortunate to have had the assistance of my family and friends along the way and to have found great legal help from practitioners across Canada”.

“My present counsel from Ottawa, firmly believe that a grave injustice was suffered”.

“Self-represented litigants or as they are commonly referred to in the system lay litigants could potentially be adversely affected by these decisions in the years to come, if this ruling is not overturned”.

“Essentially the ruling means that the average person can be held to a higher test than a legal professional”.

“I had originally contacted the firm Lang Mitchener LLP in Ottawa due to the fact that they apparently have one of the best Supreme Court practices in Canada”

“When I initially spoke to Ms. Marie France-Major at Lang Mitchener LLP, she stated that her firm had a conflict of interest. This was due to the fact that one of the Defendants in my case was RE/MAX”.

RE/MAX is the number one real estate organization in Canada, and the United States, and is involved in over 2 million sales transactions per year.

Not deterred, Dhillon then contacted some 20 lawyers across Canada, including Gowling Lafleur Henderson LLP in Ottawa.

“Gowlings had agreed to take my case and sent me a letter of engagement. I had to politely decline as it would not have been appropriate to use them as counsel after weighing out all of the pros and cons and the conflicts that may have arisen due to interrelated matters”.

“Ironically the Defendants have retained Gowling Lafleur Henderson LLP, (Ottawa office) for this case”.

During this time Dhillon was still in contact with Lang Mitchener's Ottawa office with another lawyer named Pradeep Chand. Chand, a former federal prosecutor and also a professor at Carleton University, has been voted the Young Practitioner of the Year by the South Asian Bar Association of Toronto. Chand is also the first Canadian recipient of the Association of Trial Lawyers of America (ATLA) Trial Advocacy Scholarship (2003).

Mr. Chand is well known for his participation as counsel for the Government of Canada in the Commission of Inquiry into the actions of Canadian Officials in relation to the case of Maher Arar, his role as counsel for Ron Leroux, a victim at The Cornwall Public Inquiry (Dunlop vs. The Cornwall Police Services Board, Cornwall Police Service, The Roman Catholic Episcopal Corporation for the Diocese of Alexandria Cornwall in Ontario), and for his representation of the World Sikh Organization (WSO) at the Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182.

"Pradeep and I were discussing another matter when he asked me who was representing me in the 'RE/MAX' case. I informed him that I was still actively looking for a non-conflicted and the right person".

"In the other matter (Court File No. 193466VA99) Mr. Chand had agreed to represent a friend of mine and he had agreed to bring Mr. Bobby Sachdeva of Pallet Valo LLP into the fold as well".

"As a precautionary measure Mr. Chand had put me in touch with Ms. Palbinder Shergill (www.shergilllaw.com/profiles.htm) to potentially represent me, as extremely harsh and draconian penalties were being sought in the interrelated civil case that has been ongoing for almost ten years as well".

"Ms. Shergill and I spoke about her retention. After explaining to her the details of the other matter, and the fact that KPMG Inc, the world's fourth largest accounting firm, was involved, she said to me she was not surprised by what had transpired over the course of a decade in the Vancouver courts".

"When discussing the RE/MAX case I had told Mr. Chand that Ms. France-Major, from his office stated there was a conflict and had recommended Mr. Stephen Grace of Maclaren Corlett LLP".

"In the ensuing days, Pradeep looked into the matter further for me and was eventually able to get the conflict waived by Lang Mitchener's Ottawa office".

"In the time that had passed since I had initially spoken to Ms. France-Major, and then Pradeep, I had spoken to Mr. Stephen Grace"

“Mr. Grace was enthusiastic about my case, and in the end I went with my gut feeling despite Mr. Chand’s herculean efforts to have Lang Mitchener’s Ottawa office do a 180 degree turn from their original position”.

“I chose Mr. Grace to assist me in filing the appropriate paperwork within the stipulated timelines with the Supreme Court of Canada, as it is a highly specialized area of law”.

“In fact it is so specialized that when dealing with the top court in the nation most law firms even hire the firms that specialize in dealing with the Supreme Court of Canada”.

“I chose Mr. Grace as he seemed to understand the case the best and the wide ranging ramifications it could have for self-represented litigants in Canada”.

“However he did warn me that the Supreme Court of Canada rejects about 90 % of the approximately 700 applications it receives each and every year, and that anyone seeking to actually be heard is at an immediate disadvantage when looking only at the raw numbers”.

“The fact that my case was thrown out by the lower courts in British Columbia without ever being ruled upon its merits should be of great concern in this country, as this could set a very bad precedent”.

“I believe that throwing the truth by the wayside sends the wrong message to Canadians, especially in this era of self-represented litigants being marginalized”.

“A nation is only as strong as its laws and enforcement of same. Justice must be accessible to its citizens and no legal professional should be able to rely upon such narrow technicalities to circumvent the due process afforded to Plaintiffs in Canada, as was done in my case”.

“In our adversarial judicial system it is not surprising that lawyers will do whatever they can to assist their clients; what is shocking to me and the great many others that are observing in North America, is the manner in which certain judges in British Columbia, have been ruling on our cases in the past two years or so”.

“Their actions are quite transparent, and we believe by and large that it is a clear and provable pattern of behavior that has been exhibited, and this may eventually need to be dealt with in another forum”.

The Supreme Court Act states that ‘an application for leave may be granted when the Supreme Court finds that the case raises an issue of public importance, and is therefore a case that ought to be decided by the Supreme Court. This means that the case must raise an issue that goes beyond the immediate interest of the parties to the case’.

“I believe that my case fits the mandate as prescribed by the Supreme Court Act, and it would give the Court a chance to fulfill their mission in serving Canadians, as ‘accessibility to justice’ is listed as a very important part of that mission”.

“Last year the Chief Justice of Canada - The Right Honourable Chief Justice of Canada Beverly McLaughlin, stated in a speech that ‘the most advanced justice system in the world is a failure if it does not provide justice to the people it is meant to serve. Access to justice is therefore critical’.

“She further went on to say, in that same speech that; “recently the Chief Justice of Ontario stated that access to justice is the most important issue facing the legal system.”

“The hurt and misery that has been caused to me, my loved ones and my supporters, due to the malicious acts of certain individuals, and the burden of bouncing around in the judicial system, can never be erased”.

“The financial loss suffered by myself and my family has had wide ranging impact, and almost a decade has passed since the original mortgage funds were lent by me”.

“Over the course of the past 9 plus years we have-- with the greatest of care -- meticulously accumulated irrefutable evidence as to what really transpired. To have it never see the light of day due to procedural chicanery, and a misguided and heavy handed ruling handed down by a member of the B.C. Judiciary, would be a much greater travesty when viewed in a national context”.

“This decision, if left to stand, will negatively impact self-represented Plaintiffs, and put them at a severe disadvantage in Canada for the years to come”.

“Recently I attend the Access to Justice town hall meeting that took place in Vancouver, B.C.(www.accesstojustice.ca)”

“I was shocked to learn how badly the system in B.C. had been gutted by the cuts to funding in the past 9 years. There seems to be a disturbing trend in British Columbia as far as the average citizen being able to access justice is concerned”.

“Even the United Nations has weighed in on the issue and expressed its dismay at what is occurring in this country”.

“Currently I am working with some individuals who also notice this trend and a full length documentary is in the works”.

“My parents immigrated from India to this country because of the strength of its laws, and the freedoms that are enjoyed by its citizens. With the stroke of a pen, Honourable Justice McEwan erased a substantial portion of my father’s earnings” stated Dhillon.

For more information please visit:

www.andjusticeforall.ca

www.satinderdhillon.com

www.facebook.com/satinder.dhillon1

www.twitter.com/SatinderDhillon

**“No law or ordinance is mightier than
understanding”**

Plato



**“Truth never damages a cause that is
just.”**

*Mahatma Gandhi
(1869-1948)*



“Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality tied in a single garment of destiny. Whatever affects one directly affects all indirectly”

*Martin Luther King Jr. Letter from a
Birmingham jail, April 16, 1963
(1929-1968)*



“The Rule of Law, in its most basic form, is the principle that no one is above the law. For as in absolute governments the king is law, so in free countries the law ought to be king; and their ought to be no other”

Thomas Paine (1737–1809)

Quote from his pamphlet entitled, ‘Common Sense’. It has been hailed as one of the most brilliant pamphlets ever written in the English language - and the writing that sparked an American Revolution