

Federal Court



Cour fédérale

**Date: 20160809**

**Docket: T-628-10**

**Citation: 2016 FC 909**

**Ottawa, Ontario, August 9, 2016**

**PRESENT: Madam Prothonotary Mireille Tabib**

**BETWEEN:**

**ROBERT REINHARDT**

**Applicant**

**and**

**ATTORNEY GENERAL OF CANADA**

**Respondent**

**JUDGMENT AND REASONS**

[1] A Notice of Status Review was issued on June 28, 2016 requiring the Applicant to serve and file written representations as to why this application should not be dismissed for delay.

[2] This application, filed in March 2010, has remained stayed for six years pending the exhaustion of all of the Applicant's rights of appeal, revision and judicial review of the original decision. The last stay expired on May 27, 2016 with the decision of the Federal Court of

Appeal on the Applicant's judicial review of the decision of the Social Security Tribunal (Appeal Division).

[3] The Applicant failed to communicate with the Respondent for the purpose of filing a joint report to the Court to advise as to how the application would proceed, could not be reached by the Respondent for that purpose and failed to communicate with the Court independently. This prompted the issuance of a Notice of Status Review.

[4] The Applicant sent a note to the Court, not copied to the Respondent, stating that neither he nor his sister understood the Notice of Status Review or knew what to do, that he could not get a lawyer and that he had no one else to assist him. It appears that the person who previously assisted the Applicant, Ron Jones, is no longer available to him.

[5] A self-represented litigant's inability to understand the Court process and inability to obtain legal advice cannot justify an applicant's failure to move his litigation forward.

[6] In the circumstances, it is obvious that the Applicant will be unable to bring this matter to a resolution.

[7] This application will accordingly be dismissed for delay.

**JUDGMENT**

**THIS COURT'S JUDGMENT is that:**

1. This application be, and it is, dismissed for delay.

"Mireille Tabib"

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Prothonotary

**FEDERAL COURT**  
**SOLICITORS OF RECORD**

**DOCKET:** T-628-10

**STYLE OF CAUSE:** ROBERT REINHARDT v ATTORNEY GENERAL OF  
CANADA

**MOTION IN WRITING CONSIDERED AT OTTAWA, ONTARIO, PURSUANT TO  
RULE 369 OF THE *FEDERAL COURTS RULES*.**

**JUDGMENT AND REASONS:** TABIB P.

**DATED:** August 9, 2016

**WRITTEN REPRESENTATIONS BY:**

Robert Reinhardt

FOR THE APPLICANT

Husan Junaid

FOR THE RESPONDENT

**SOLICITORS OF RECORD:**

Ronald Jones  
Amherst, Nova Scotia

FOR THE APPLICANT

William F. Pentney  
Deputy Attorney General of  
Canada  
Ottawa, Ontario

FOR THE RESPONDENT