

APR 22 2014

IN THE SUPREME COURT OF BRITISH COLUMBIA

Between  **Ron Korkut**

, Plaintiff

And

Christopher E. Hinkson,

, Defendant

NOTICE OF CIVIL CLAIM

This action has been started by the Plaintiff for the relief set out in Part 2 below. If

you intend to respond to this action, you or your lawyer must

- (a) file a response to civil claim in Form 2 in the above-named registry of this court within the time for response to civil claim described below, and
- (b) serve a copy of the filed response to civil claim on the Plaintiff. If

you intend to make a counterclaim, you or your lawyer must

- (a) file a response to civil claim in Form 2 and a counterclaim in Form 3 in the above-named registry of this court within the time for response to civil claim described below, and
- (b) serve a copy of the filed response to civil claim and counterclaim on the Plaintiff and on any new parties named in the counterclaim.

JUDGEMENT MAY BE PRONOUNCED AGAINST YOU IF YOU FAIL to file the response to civil claim within the time for response to civil claim described below.

Time for response to civil claim

A response to civil claim must be filed and served on the plaintiff,

- (a) if you reside anywhere in Canada, within 21 days after the date on which a copy of the filed notice of civil claim was served on you,
- (b) if you reside in the United States of America, within 35 days after the date on which a copy of the filed notice of civil claim was served on you,
- (c) if you reside elsewhere, within 49 days after the date on which a copy of the filed notice of civil claim was served on you, or
- (d) if the time for response to civil claim has been set by order of the court, within that time.

CLAIM OF THE PLAINTIFF

Part 1: STATEMENT OF FACTS

1. INCIDENT: Stewart Taylor hit the Plaintiff's car and ran away, on Pattullo Bridge, March 31, 2009. The Plaintiff lost the control of his car, after three impacts, his car was totally destroyed. The Plaintiff was very lucky to survive the collision; because, he was driving on the left lane and his car did not skid into the oncoming traffic. Stewart Taylor was caught, but not arrested or prosecuted; because, **ICBC assumed the liability of the HIT and RUN CRIME Stewart Taylor committed.** Even though ICBC was 100% liable for the incident, ICBC representative **Mr. Jason Gray** refused to pay non-pecuniary damages of the Plaintiff. Later on, the Plaintiff found out that, **ICBC assumes the liability of 49,000 hit and run crimes that kill 10, injure and maim 2,200 innocent citizens of British Columbia, every year.** (ICBC quick-statistics)
2. THE PLAINTIFF'S DUTY TO TAKE ACTION AGAINST CRIME: As a surviving victim of hit and run crime, the Plaintiff has a legal obligation to take legal action against ICBC; because, it is impossible to prevent crime, if victims fail **to take legal action** against their offenders.
3. OBSTRUCTION OF JUSTICE: The Plaintiff contacted with the Court registry to file his legal action. Nevertheless, the registry declined to give him the name of the legal form required to file criminal cases. Therefore, the Plaintiff consulted with ten lawyers referred by the Lawyer Referral Service. All of the ten lawyers declined to give him the name of the legal-form necessary for filing criminal cases, despite the Plaintiff was willing to pay for their service. For lawyers, **withholding legal information necessary for launching legal action is tantamount to obstruction of justice;** because, the lawyers are the only professionals who are knowledgeable and qualified to provide legal service to the public. That obligation is also clearly stated in the Canons of Legal Ethics. **"A lawyer should make legal services available to the public** in an efficient and convenient manner that will command respect and confidence.."
4. LAW SOCIETY AND LAWYERS' OBLIGATIONS: Before filing disciplinary actions against those ten lawyers, the Plaintiff decided to find out if the Law Society was willing to investigate his complaint about the professional obligations of the lawyers. Therefore, he wrote a letter to **David J. Bilinsky** on April 3, 2012 and asked him if the lawyers had professional **obligation to provide legal service to the victims of crime.** Nevertheless, he did not answer the Plaintiff's question. After a series of letters, on May 21, 2012, **Jack Olsen**, Ethics, stated that the Lawyers

do not have obligation to provide legal service to the public. His statement was conclusive that the Law Society had no intention to investigate the Plaintiff's complaint.

5. OFFICIAL DENIAL OF LAWYERS DUTY TO PROVIDE LEGAL SERVICE: To resolve the issue administratively, the Plaintiff proceeded in hierarchical order. After nine months of communication, the Law Society Executive Director, **Mr. Timothy E. McGee** confirmed that the lawyers of British Columbia had **no obligation to provide legal service to the victims of crime**, in his letter dated January 8, 2013. The Plaintiff asked him who had that obligation; but, he failed to respond.

6. LEGAL ACTION AGAINST TIMOTHY E. MCGEE: To find out who has legal obligation to provide legal service to the public, the Plaintiff filed a legal action against Timothy E. McGee. Nevertheless, legal representative of Mr. McGee, **Mr. Michael Armstrong** filed a court application and **Mr. Justice Nathan Smith** dismissed the Plaintiff's case with costs, on August 2nd, 2013, without any tangible reason or authority.

At the hearing, the Plaintiff asked to Mr. Armstrong the following question. He was silent; instead, Mr. Justice Nathan Smith responded as follows: (Transcript, page 18)

RON KORKUT: Who has the obligation to provide legal service to the public if the lawyers have not such an obligation? Please answer this question before the court.

THE COURT: All right.

7. THE REASON FOR DISMISSAL: Mr. Justice Nathan Smith concurred with Mr. Armstrong's argument and decided that ICBC had an obligation to assume the liability of hit and run crimes and pay criminal damages on behalf of criminal offenders, where criminal offenders were identified, under the Insurance Vehicle Act C.231. Nevertheless, there is no provision in the Act that entitles ICBC to assume the liability of hit and run crimes and pay the damages on behalf of the criminals, where offenders are identified. It is impossible to have such a provision in the Act; because, **it is impossible to assume the liability of a criminal offence and let the criminal offenders free**, as long as the Law is enforced effectively.

8. JUSTICE FAILS TO SIGN HIS ORDER: The Plaintiff appealed Mr. Justice Smith's decision to the Court of Appeal. Nevertheless, the Plaintiff's appeal was obstructed; because, Mr. Justice Smith **did not sign his order**. Instead, Mr. Armstrong drafted an order on behalf of Mr. Justice

Smith and asked the Plaintiff to sign it; arguing that signing a document does not mean “acceptance”, in legal proceedings. Furthermore, he filed another application to compel the Plaintiff to pay court costs of \$6165.77, before the appeal and demanded \$5,000 “security deposit” for appeal court costs, assuming he would abort the Plaintiff’s appeal, as well.

9. COMPLAINT TO THE CHIEF JUSTICE: Since the Plaintiff was not able to proceed with his appeal in the Court of Appeal, he had no choice, other than reporting this issue to the Chief Justice, **Honourable Christopher E. Hinkson** and seeking help. He wrote four letters dated: Nov. 25, 2013, Jan. 13, 2014, Mar. 5, 2014 and Mar. 25, 2014. The Plaintiff raised the following issues to the attention of the Chief Justice:

1. LEGAL CHICIANERY: Mr. Justice Nathan Smith dismissed the Plaintiff’s legal action without any tangible reason or applicable authority, knowing that the Plaintiff had a legal obligation to bring ICBC to justice; because ICBC assumes **the liability of 49,000 hit and run crimes that kill 10, injure 2,200 people every year, in British Columbia.**

2. OBSTRUCTION OF JUSTICE: Since the decision of Mr. Justice Nathan Smith was questionable, **he did not sign his dismissal order.** Instead, Mr. Michael Armstrong attempted to mislead the Plaintiff to sign Mr. Justice Nathan Smith’s order. Since, the Plaintiff is not a fool to sign an unauthorized decision made against him, he did not sign it; therefore, his appeal was obstructed.

3. IMPROPER COURT PROCEDURE: Upon Mr. Michael Armstrong’s application, Master Dennis Tokarek signed a “Certificate of Costs” without printing his name on the legal document. The Plaintiff attempted to confirm the signature, but Master Tokarek failed to confirm his signature, in writing.

10. FAILURE TO RESPOND: It is common sense that, the Chief Justice is responsible for supervising court services and ensure that court services are provided to the public within reason. Nevertheless, he failed to respond to the Plaintiff’s complaint. Instead, K. J. Leacock wrote a letter to the Plaintiff, dated January, 15, 2014. He interpreted the Plaintiff’s complaint as a “*request of legal advice*” and he stated that: “Chief Justice Hinkson is not able to provide you with any advice. will not respond further to your inquiry.” Therefore, the Plaintiff filed this case against the Chief Justice, on the grounds of breach of duty.

11. SUMMARY:

1. The Plaintiff, as a victim of potentially fatal hit and run crime, has a right and legal obligation to bring his offender, ICBC to justice.
2. The lawyers, members of the Law Society, declined to provide legal service to the Plaintiff. Therefore, the Plaintiff's access to justice was obstructed.
3. The Law Society declined to resolve the issue.
4. The Plaintiff filed a legal action against the Law Society Executive Director, Mr. Timothy E. McGee to find out who is responsible for providing legal service to the public.
5. Mr. Justice Nathan Smith dismissed his case and did not sign his dismissal order. Therefore, the Plaintiff was not able to appeal Mr. Justice Nathan Smith's decision.
6. The Plaintiff complained to the Chief Justice. The Chief Justice ignored his complaint.

Part 2: JUDGMENT REQUESTED

1. IS IT LAWFULL for Mr. Justice Nathan Smith to dismiss the Plaintiff's legal action knowing that the legal action was a necessary step to bring his offender, ICBC to justice, on the grounds of assuming the liability of 49,000 hit and run crimes that kill 10 and injure 2,200 innocent citizens of British Columbia, every year?

2. IS IT LAWFUL for Mr. Justice Nathan Smith to obstruct the Plaintiff's appeal by declining to sign his Order?

3. IS IT LAWFUL for Master Dennis Tokarek to sign a "certificate of costs" to force the Plaintiff to pay court costs before his appeal, without printing his name on the document and decline to confirm his signature in writing?

4. IS IT A LAWFUL for the Chief Justice to overlook the Plaintiff's complaints listed above, about the conduct of the staff working under his supervision?

Part 3: RELIEF SOUGHT

1. IF THE CHIEF JUSTICE IS NOT LEGALLY RESPONSIBLE for supervising the staff working under his supervision and correct their wrong actions, the Plaintiff requests a reasonable answer to the following question:

Who is legally responsible for supervising the staff working under the supervision of the Chief Justice, Honourable Christopher E. Hinkson and correct their wrong?

2. IF HE IS RESPONSIBLE: The Plaintiff request an order to direct the Chief Justice to fulfill his duty to supervise the Court Services and address the Plaintiff's complaint about improper court procedures.

Part 4: LEGAL BASIS

Hit and run incident is NOT an ACCIDENT; it is a CRIMINAL OFFENCE under the section 252 of the **Criminal Code of Canada**.

ICBC inflicts serious harm on the public by assuming the liability of 49,000 hit and run crimes that injure 2,200 and kill 10 innocent citizens every year under the name of accident insurance benefits, ICBC provides financial support to criminal offenders. It is unlawful to assume the liability of criminal offence where the offenders are identified. As a victim of potentially fatal hit and run crime the Plaintiff has a legal obligation and civic duty to take his case to the Court and seek JUSTICE.

Plaintiff's address for service: Ron Korkut
5249 Laurel Street
Burnaby BC V5G 1N1

E-mail address for service: ron@ethicsfirst.ca

Place of trial: Vancouver, British Columbia

The address of the registry is: 800 Smithe Street
Vancouver, BC V6Z 2E1



Date: April 22, 2014

Ron Korkut

Rule 7-1 (1) of the Supreme Court Civil Rules states:

- (1) Unless all parties of record consent or the court otherwise orders, each party of record to an action must, within 35 days after the end of the pleading period,
 - (a) prepare a list of documents in Form 22 that lists
 - (i) all documents that are or have been in the party's possession or control and that could, if available, be used by any party at trial or prove or disprove a material fact, and
 - (ii) all other documents to which the party intends to refer at trial, and
 - (b) serve the list on all parties of record.

APPENDIX

Part 1: CONCISE SUMMARY NATURE OF CLAIM:

Failure to enforce the code of professional conduct for BC.

Part 2: THIS CLAIM ARISES FROM THE FOLLOWING:

- a motor vehicle accident
- personal injury, other than one arising from a motor vehicle accident
- a dispute about real property (real estate)
- a dispute about personal property
- the lending of money
- the provision of goods or services or other general commercial matters
- an employment relationship
- a dispute about a will or other issues concerning the probate of an estate
- breach of duty

Part 3:

Occupiers Liability Act, R.S.B.C. 1996, c. 337