

Original
filed on Jan 12, 2015

IN THE SUPREME COURT OF BRITISH COLUMBIA

FEB 03 2015
Between



And

Ron Korkut

, Plaintiff

John D. Waddell, Austin F. Cullen, K. Jill Leacock,

, Defendant

AMENDED 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's car was totally destroyed, but he survived the collision. Stewart Taylor was caught, nevertheless he was 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. LAWYERS OBSTRUCTING JUSTICE: In order to file his case, the Plaintiff consulted with ten lawyers referred by the Lawyer Referral Service. All of the ten lawyers were declined to provide legal advice or service to file his case, despite the Plaintiff was willing to pay for their services. Lawyers' refusing to provide legal service to a member of public 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. The lawyers' professional-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 STATED THAT LAWYERS HAVE NO OBLIGATION TO PROVIDE LEGAL SERVICE TO THE PUBLIC: In order to resolve this issue, the Plaintiff got in touch with the Law Society of British Columbia. After seven months of communication, the Law Society Executive Director, **Mr. Timothy E. McGee** confirmed that the lawyers of British Columbia have **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.

5. LEGAL ACTION AGAINST Mr. McGEE: To find out **who has legal obligation to provide legal service to the public**, the Plaintiff filed a legal action against Mr. Timothy E. McGee, Executive Director of the Law Society. 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 answering the Plaintiff's question and without referring to any authority that relaxes lawyers' obligation to provide legal service to the public. 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. DISMISSAL OF LEGAL ACTION WITHOUT AN APPLICABLE AUTHORITY:

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 C.231 of 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 offender be free**, as long as the Law is enforced effectively. Therefore, Mr. Justice Smith refused to sign his dismissal order.

8. ATTEMPTING TO EXACT MONEY BY USING UNSIGNED COURT ORDER:

The Plaintiff appealed Mr. Justice Smith's decision to the Court of Appeal. Nevertheless, the Plaintiff was not able to proceed with his appeal; 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 documents. Mr. Armstrong, attempted to exact \$6165.77, from the Plaintiff, relying on the court order that was not signed by Mr. Justice Smith. Furthermore, he demanded \$5,000 under the name of "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. Mr. Armstrong filed an application to abort the Plaintiff's legal action prematurely, without citing any authority to prove that the lawyers have no obligation to provide legal service to the public.

2. Mr. Justice Nathan Smith dismissed the Plaintiff's legal action **without answering the question before the Court and declined to sign his order.**

3. Mr. Michael Armstrong, by using his professional influence, attempted to mislead the Plaintiff to believe that **signing a legal document does not mean acceptance** and asked the Plaintiff to sign the order he drafted on behalf of Mr. Justice Smith. He attempted to exact \$6165.77, from the Plaintiff, relying on the court order that was not signed by Mr. Justice Smith.

4. 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. THE CHIEF JUSTICE DISREGARDED THE PLAINTIFF'S COMPLAINT: As we all know, the Chief Justice is responsible for supervising the 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, Mrs. K. Jill Leacock wrote a letter to the Plaintiff, dated January, 15, 2014. She interpreted the Plaintiff's complaint as a "*request of legal advice*" and she 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 a legal action against the Chief Justice, on the grounds of breach of duty.

11. JOHN D. WADDELL PROCURED THE ABORTION OF THE PLAINTIFF'S LEGAL ACTION AGAINST THE CHIEF JUSTICE: Mr. John D. Waddell filed an application and procured the dismissal of the Plaintiff's legal action without citing any authority that relaxes the Chief Justice's duty to pay attention to improper court procedures; such as, failure to sign court orders and exacting money from plaintiffs, by using unsigned court orders.

12. JUSTICE AUSTIN F. CULLEN DISMISSED THE PLAINTIFF'S LEGAL ACTION AGAINST THE CHIEF JUSTICE WITH COURT COSTS: Like Mr. Justice Nathan Smith, Mr. Justice Cullen **failed to sign his dismissal order**. Mr. Justice Cullen disregarded the Chief Justice's duty to supervise the court services. Obviously, an Honourable person who acts in good faith, never hesitates to sign under his own decision. Mr. Waddell attempted to exact court costs from the Plaintiff, by diluting him to believe that unsigned court order is a valid legal document.

13. UNDER THE CIRCUMSTANCES, THE PLAINTIFF WAS NOT ABLE TO FILE A CRIMINAL ACTION; THEREFORE, HE FILED THIS CIVIL CLAIM AGAINST THE DEFENDANTS.

Part 2. RELIEF SOUGHT

The Plaintiff has been suffering from the frustration of **obstructed justice**, for almost six years. Therefore, the Plaintiff seeks an **order of trial** of this case, pursuant to the Criminal Code of Canada, considering the extent of the **harm inflicted on the public** by the following substantiated facts:

1. The Plaintiff's offender-in-law, **ICBC** assumes the liability of 49 000 **hit and run crimes** that kill 8, injure/cripple 2200 innocent peoples in British Columbia, every year, including the cases where offenders are identified. (S252 failure to stop)
2. **The judges** dismiss legal actions by disregarding the substantiated facts and applicable Law, and refuse to sign their orders, (S139, defeating the course of justice)
3. **The lawyers**, officers of the Courts, argue irrelevant facts and pervert the established principles of law (S131 perjury), and exact money from the public, by using unsigned court orders. (S346 extortion).

And the following requirements of the SUBSTANTIVE LAW:

1. As a victim of hit and run crime, the Plaintiff has a legal obligation and natural DUTY to bring his offender to justice. Otherwise, it is impossible to prevent crime.
2. As a member of the public, the Plaintiff has a natural and constitutional RIGHT to access to the Court services and have a fair trial of his case by an impartial tribunal.

3. A justice has a DUTY to serve justice to the public by receiving the substantiated facts and applying the applicable SUBSTANTIVE LAW.

4. A member of the public has a legal obligation and natural DUTY to blow whistle on any corruption that may cause harm to the public. Otherwise, it is impossible to prevent corruption and prevent harm to the public.

Part 3: JUDGMENTS REQUESTED

The Plaintiff requests the following decisions from this Honourable Court:

1. IS IT LAWFULL for ICBC, to **assume the liability of 49,000 hit and run crimes** that kill 8 and injure 2,200 people in British Columbia, every year, including the cases where offenders are identified?

2. IS IT LAWFUL for Mr. MICHAEL ARMSTRONG, lawyer, to attempt to dismiss the Plaintiff's legal action against Mr. McGEE, without answering the Plaintiff's question; that is: **“who has obligation to provide legal service to the public, if the lawyers do not have such an obligation”?**

3. IS IT LAWFUL for Mr. Justice **Nathan Smith**, to **dismiss** the Plaintiff's legal action **without answering the legal question before the Court** regarding the lawyers' legal obligation to provide legal service to the public, and **refuse to sign his order?**

4. 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?

5. IS IT A LAWFUL for the Chief Justice, **Christopher E. Hinkson**, to neglect his DUTY to respond to **the Plaintiff's complaint regarding improper court procedures; such as, justices refusing to sign their decisions; and lawyers attempting to swindle money from the plaintiffs, by using unsigned court orders?**

6. IS IT LAWFUL for Mr. **John D. Waddell**, lawyer, to file an application to dismiss the Plaintiff's legal action **without citing any authority** that absolves the Chief Justice's DUTY to attend to the complaints about improper court procedures such as, *justices refusing to sign their decisions; and lawyers attempting to swindle money from the plaintiffs, by using unsigned court orders?*

7. IS IT LAWFUL for Mr. Justice **Austin F. Cullen** to **dismiss** the Plaintiff's legal action against the Chief Justice **without referring to any authority** that relaxes the Chief Justice's DUTY TO SUPERVISE the court services and respond to reasonable complaints of the public, regarding improper court procedures, such as **unsigned court orders?**

8. IS IT LAWFUL for Mrs. **K. Jill Leacock**, lawyer, to influence the Plaintiff to believe that Mr. Justice Cullen's **unsigned court order** is a **valid** court order and attempt to exact court costs from the Plaintiff, referring to an unsigned court order?

Part 4: LEGAL BASIS

The Plaintiff relies on the following PRINCIPLES OF LAW:

1. Hit and run incident is NOT an ACCIDENT; it is a CRIME, under the section 252 of the **Criminal Code of Canada.**
2. A victim of crime has a DUTY to bring his/her offender to justice.
3. Assuming the liability of CRIMINAL action is the same as committing the offence.
4. Judgment must be based on the **substantiated facts and the applicable Law.**
5. It is improper to argue **irrelevant issues** and refer to irrelevant authorities in the Court of Law.
6. ABORTING a legal action without making the judgment requested by plaintiff and refusing to sign dismissal order is tantamount to **obstruction of justice.**
7. A supervisor is RESPONSIBLE for the wrong actions of the personnel works under his/her supervision.
8. A document that is NOT SIGNED by the person who is authorized to issue it, is NOT a **valid** legal document.

9. A lawyer is a minister of justice and an officer of the courts. Lawyer's **duty** is to **serve the cause of justice**. Therefore, it is improper for the lawyers to attempt to abort a victim's legal action prematurely to prevent fair trial of a criminal case and demand court costs referring to an unsigned dismissal order.

10. **Judicial immunity** cannot be extended to a level where justices refuse to receive substantiated facts, disregard the principles of substantive Law and fail to sign their orders.

11. The Officers of the Courts who disregard the Law and obstruct justice to the public, are the most DANGEROUS OFFENDERS.

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: February 3, 2015

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:

Assuming the liability of hit and run crimes and obstruction of justice.

Part 2: THIS CLAIM ARISES FROM THE FOLLOWING ACTIONS:

1. **ICBC assumed the liability of hit and run crime and let the offender be free.**
2. The Law Society Executive Director, Mr. TIMOTHY E. McGEE stated that the lawyers have **no obligation to provide legal service** to a victim or crime who is trying to bring his offender to justice.
3. Mr. MICHAEL ARMSTRONG procured the abortion of the Plaintiff's legal action **without** citing any **authority** to demonstrate that lawyers have no obligation to provide legal service to the public. He attempted to swindle money from the Plaintiff by using **unsigned court order**.
3. Mr. NATHAN SMITH dismissed the Plaintiff's case against Mr. McGEE **without answering** the question before the Court and **declined to sign his order**.
4. Master DENNIS TOKAREK signed a "certificate of costs", without printing his name and declined to verify his name.
5. Mr. CHRISTOPHER E. HINKSON, Chief Justice, disregarded the Plaintiff's complaint about the judges issuing unsigned court orders and lawyers swindling money, by using unsigned court orders.
6. Mr. JOHN WADDELL procured the abortion the Plaintiff's legal action against the Chief Justice without citing any authority that relaxes the Chief Justice's duty to invigilate court services and attempted to swindle money from the Plaintiff by using an unsigned court order.
7. Mr. AUSTIN CULLEN dismissed the Plaintiff's legal action against the Chief Justice without referring to any authority and did not sign his dismissal order.
8. Mrs. K. JILL LEACOCK attempted to mislead the Plaintiff to believe that unsigned court order was a valid and enforceable court order.

Part 3:

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