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Court of Appeal for British Columbia
400-800 Smithe St
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RE: CA47689 Masood Masjoody v Simon Fraser University

Likelihood of continued partisan involvement of certain Court officials against the interest of justice and the core duty of the justice system in British Columbia

The Honourable Chief Justice Robert Bauman,

I am copying this letter to the Honorable Leader of Opposition, Pierre **Polievre**, the Honorable Member of Parliament Marc Dalton, and the Honorable Senator **Leo Housakos**, since the defendant/respondent university has called for judicial activism in their favour and for the cancellation of cultural and political conservatives from the justice system, which calls (1) have been made by the enablers of the terrorist regime of Islamic Republic in Canadian academia; and (2) have been followed by highly questionable conduct of the courts in British Columbia jeopardizing the integrity and core functionality of the justice system in Canada.

I am also copying this letter to Dr. Jordan B. Peterson as a potential party of interest since the defendant university has begged the courts to cancel a litigant from the justice system whose Notice of Claim they say "should be struck" because he "professes admiration for Donald Trump, [Dr.] **Jordan Peterson**, Tucker Carlson and Rush Limbaugh" and "has difficulty with **Left-wing politics**", which begging has been followed by highly questionable conduct of the Courts in British Columbia, indicating that the fundamental legal rights of Dr. Jordan Peterson are also likely to be soon infringed on by the justice system and judicial activists therein.

[1] I started an action against a university administration that engaged in a widespread conspiracy against me after I exposed their ties with the terrorist regime of the Islamic Republic (in Iran) and high-profile military and political agents of that regime at Simon Fraser University in Burnaby, British Columbia.

[2] The defendant university asked the court below to declare a lack of jurisdiction in that matter, and also asked the court to "strike" my Notice of Claim because of, what they claimed to be, my cultural and political views. They pleaded that:

"[The plaintiff] has difficulty with feminism, liberalism, left-wing politics as well as persons who are secret affiliates of the Iranian regime. [The plaintiff] professes admiration for Donald Trump, Jordan Peterson, Tucker Carlson and Rush Limbaugh. [T]hese views do not disclose a reasonable cause of action. The [Notice of Civil Claim] should be struck."

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[3] Enumerated in the appendix are some instances of the barbarically biased and shockingly unprofessional conduct of the judge of the court below which conduct has benefited the terrorist regime of the Islamic Republic and its enablers, and paved the way for other supporters of that regime in Canada, including the cult of Karim Aga Khan, to double down on the conspiracy of the regime's enablers and the judge's inhumane conduct against the plaintiff.

[4] I appealed the decision of Shelley Fitzpatrick J. of the court below addressing her erroneous decision and shockingly biased conduct.

[5] Barely a day after the publication of Fitzpatrick's decision, a media organization, named Burnaby Beacon, run by affiliates of Karim Aga Khan—an influential, yet unofficial, lobbyist and apologist for the terrorist regime of the Islamic Republic and a party to the infamous Aga Khan Affair with PM J. Trudeau—doubled down on Fitzpatrick's inhumane conduct and engaged heavily in my character- assassination, apparently to conceal the issue of the interference of their favourite Islamist regime's agents in Canada and to maliciously take revenge from a whistleblower who exposed some of those agents and their enablers. My action in the Supreme Court of British Columbia against these members of the Aga Khan's cult for defamation and character assassination is:

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[6] Serious questions arose when this appellate court conveniently ignored my sought order on appeal relating to the biased conduct of Fitzpatrick J., and the majority of my arguments. In my letter of 13 May 2022, I addressed these questions to Chief Justice Bauman and asked for his direction in these peculiar circumstances. The Chief Justice referred my letter to the Court's counsel, Tasneem Karbani, who is a member of the cult of Karim Aga Khan, the same cult whose affiliates engaged in my character assassination to the benefit of the terrorist regime of the Islamic Republic and its Canadian enablers.

[7] In many aspects, Tasneem Karbani's reply, dated 19 May 2022, to my letter was misleading particularly in claiming that there was nothing I could do in this court when the Court had not adjudicated the matters that it should have adjudicated!

[8] At its best, and apart from Karbani's Affiliation with the Aga Khan's cult, her reply was irresponsibly uninformed, especially given her position as the Court's "legal counsel". Later on, I learned that, contrary to Karbani's reply, the Court's Act specifically provides that an order of the Court can be amended on application by a litigant when there is a matter that should have been but was not adjudicated by the Court:

Amendments to orders

43 (1) A division of the court may, on application or on the division's own initiative, amend an order made by the division to provide for any matter that should have been but was not adjudicated by the division.

Court of Appeal Act, Section 43, Amendments to orders

[9] Of particular interest is that the consideration of the ignored sought order would inevitably have led to the consideration of bias of Fitzpatrick upon which establishment the Court would have been obliged to allow the appeal and set aside Fitzpatrick's decisions.

[10] On Dec 22, 2022, I made two applications to the Division, one based on Section 43(1) of the Act and for the Division to amend its decision (the "Amendment Application") and the other for re-opening the appeal pursuant to the inherent jurisdiction of the Court (the "Re-opening Application") so that (a) a new point can be argued to prevent serious injustice; and (b) overlooking or misapprehending the evidence or arguments can be addressed when there is a risk of a miscarriage of justice.

[11] According to the binding decision of the Supreme Court of Canada, admitted by this court, a reasonable apprehension of bias must make any order of the judge void and unenforceable. In this matter, had the Division recognized, rather than ignored, the bias of Fitzpatrick, it would have inevitably allowed the appeal. This is only one of the supporting reasons for the Amendment Application and the Re-opening Application, as brought to the Division's attention in my letter of Dec 22, 2022.

[11] **A Collective's "perception of justice" is no excuse for judicial activism.** It is always unlikely, though not mathematically impossible, for one experienced judge of the Court to honestly fail to recognize that major matters and one of the two sought orders on appeal were not adjudicated and, on top of these, that the decision written by another judge contained an unprecedented ruling about the conspiracy that would even protect conspiring murderers from trials in courts. It is therefore possible that an extrajudicial factor, such as an invocation of the activist idea of "Indigenous Perception of Justice" or any similar notion, led to an intentional deferral of duty by two judges who possibly ended up uninformedly conferring the judgment of the third judge.

[12] However, such an invocation by a judge to a collective's "perception of justice" is a departure from his or her judicial duties, arguably amounting to a betrayal of the oath of office. Moreover, a reasonable likelihood of the occurrence of this problem should establish a reasonable apprehension of bias, as it tends to prejudice certain litigants based on their, or their opposing party's, political views.

[13] Representing a collective's "perception of justice" by a judge is unrealistic and

ideological, thereby nonsensical. Speaking generally and also with consideration of this specific matter, it must be admitted as matters of fact that:

1. No judge of the Court has been **ELECTED** by any collective that is defined by characteristics such as skin tone, racial background, religious belief, etc.;
2. Perception of justice of mankind is not defined by the appearance of the man;
3. A judge's ruling is supposed to be based objectively on the facts and law, not subjectively on the judge's political or cultural views and partisan interests; and
4. One who tends to attribute a judge's correct way of ruling heavily to the judge's actual life experience and career could reasonably conclude that a peculiar ruling by Justice Marchand in a matter relating to a powerful left-wing public body is likely to be triggered by his politics as a Liberal, not as an oppressed member of any collective. Indeed, it appears that Mr. Marchand is one of the most privileged Canadians who has largely benefited from his father's status as a high-profile Liberal statesman and his connection with Canada's two prime ministers, namely, the Trudeaus. I enumerate some of the material facts, besides those related to the very nature of this matter, as follows:
 - a. Justice Marchand is the son of the late Honourable Len Marchand Sr. who became a Liberal MP in 1968, and was appointed by then-PM Pierre Trudeau to the Cabinet as Minister of State in 1976 and Minister of Environment in 1977. In 1984, Marchand Sr. was appointed by Pierre Trudeau to the Senate where he remained until 1998;
 - b. In 2017, PM Justin Trudeau appointed Justice Marchand to the Supreme Court of British Columbia;
 - c. In 2021, PM Justin Trudeau appointed Justice Marchand to the Court of Appeal for British Columbia; and
 - d. No one can deny the realities of (1) the defendant university's express call for judicial activism of "Left-wing" judges, besides (2) the interference in Canadian institutions by the terrorist regime of the Islamic Republic and its apologists, such as the cult of Karim Aga Khan, and (3) the regime and its apologists' collective political and financial ability to buy influence within Canadian public and governmental bodies.

[14] A truly honourable court's decisions are supposed to be made honestly, dutifully, and with a high degree of integrity, and be based objectively and exclusively on the facts of the case and the applicable laws. A decision-making process affected, say, by the desires of the Liberal Party's headquarters, and demands and interests of a terrorist regime's enablers and apologists, such as the cult of Karim Aga Khan, not only is wrong in a specific matter but, first and foremost, is detrimental to the integrity of the entire justice system.

Conclusion

[15] All things considered, any further involvement of Ms. Karbani particularly in her position as the Court's counsel is likely to lead to a situation of judicial activism and tilting the decisions in the interest of the Islamic Republic and the cult of Karim Aga Khan. Such

involvement would be against the integrity of the court and the interest of justice.

[16] Of a similar nature are the expansive family and work-related ties between the opposing counsels (who represent enablers of a terrorist regime which has been lobbied for in Canada by the cult of Karim Aga Khan among others) and the Court, particularly, with the Registrar.

[17] I request provisions that any further direct or indirect involvement of Ms. Tasneem Karbani in this matter be appropriately eliminated, and the duties of the Registrar in this matter be transferred to the associate registrar or, to a justice of the court.

[18] Finally, in any event, special care should be given by the Court to ensure that partisan politics and judicial activism play no further role in the outcome of the two applications I made on 22 Dec 2022.

*More Details about the conduct of Justice Fitzpatrick (so far ignored by the Court) which is one of the subjects of my applications of 22 Dec 2022, are presented in the appendix.

All of which is respectfully submitted.

Date: January 25, 2023

Yours sincerely,

Masood Masjoody

Appendix 1 of 1

Some of the indications of the bias of Fitzpatrick J. in her reasons for judgment

It should be noted that the judge heard the jurisdictional challenge of the defendants after the defendants had contested all of several plaintiff's applications for the discovery of documents and examination for discovery and the court below had adjourned the discovery applications of the plaintiff.

While the discovery was blocked, in her reasons for judgment, the judge made every effort to embarrass the plaintiff by baselessly expressing her disbelief in the allegations made against SFU, which allegations were the subject of the jurisdictional challenge in a pre-trial application, not the subject of fact-finding on the merits.

In summary, Fitzpatrick's bizarre, shockingly irrational, and barbarically biased conduct led, among other things, to her:

- (a) favouring the enablers of a terrorist regime in Canada;
- (b) pathetically shaming the plaintiff—who is a victim of conspiratorial defamation and sexual harassment by the enablers of the terrorist regime of the Islamic Republic—through mockery, loaded language, fabrications, and lies, all combined with suppressing the plaintiff's pleadings and disallowing the discovery process; and
- (c) paving the way for the cult of Karim Aga Khan—an unofficial yet highly influential lobby of the terrorist regime of the Islamic Republic in Canada— and others to maliciously engage in the character assassination of the plaintiff.

The conduct of the judge amounted to the following undeniable indications of bias:

1. **Paving the way by her heavily biased conduct for other supporters and agents of the terrorist regime of the Islamic Republic for assassinating the character of the plaintiff**

Barely a day after the publication of Fitzpatrick's judgment, the affiliates of Karim Aga Khan and members of his cult published several defamatory contents against the plaintiff. While conceding that those publications were "likely defamatory", the court below has recently decided that "a person could honestly express" such defamatory statements based on Fitzpatrick's words.

It alone established not only an apprehension of bias but arguably the actual bias of the judge and decidedly her being ethically corrupt when Fitzpatrick's conduct and words in a jurisdictional challenge about a plaintiff who is a victim of conspiratorial defamation and sexual harassment could in any sense encourage further victimization of the plaintiff, as the court below has acknowledged.

2. **Victim-shaming the plaintiff through mockery and loaded language: baseless, unnecessary, and unfair**

In the absence of discovery and despite acknowledging that fact-finding about the plaintiff's allegations was not issue before her, the judge extensively and pathetically engaged in using loaded language and baselessly calling out the allegations against the wealthy and politically powerful SFU administration as "escalated", "bizarre", "irrational", and "escalated irrationally". This inhumane conduct was not only unnecessary but was also baseless and appears to have been crafted to benefit the enablers of the terrorist regime of the Islamic Republic (of Iran) within the SFU

administration or the SFU administration in general.

3. Suppression of the plaintiff's pleadings that were the subject of the jurisdictional challenge and replacing them with the judge's fabrications, lies, and decidedly false speculations

While shaming a victim of conspiratorial defamation and sexual harassment by SFU, the judge disregarded the notice of civil claim ("NoCC") that was before her and arrogantly stated that she did not need to read the NoCC in reaching her jurisdictional decision about NoCC. Indeed, the judge engaged heavily in blanket mockery of the allegations that she does not appear to have bothered to read and properly report on. Notably, 38 paragraphs in the judge's 100-paragraph Reasons, including but not limited to the entire background, are copied directly and one-sidedly from the defendants' notice of application.

4. Further victim-shaming and unfair conduct through the judge's fabrications, lies, and manifestly false speculations

Following the hearing, in her reasons, the judge decidedly engaged in fact-manipulations, fabrications, and manifestly false speculations about the plaintiff's pleadings and affidavits that she appears not to have bothered to read. While the judge appears to have been too lazy to read the plaintiff's material, including pleadings and affidavits, at the same time, she was too eager to blatantly mock them and engage in fabrications and false speculations about them.

Just to give an example, one can compare on the one hand the actual contents of the plaintiff's affidavit 5 concerning a presumably compromised faculty member of SFU (due to his known history of sexual misconduct in 2013 and 2016) with the judge's false and fully manipulated and speculated report on it, on the other hand. Ironically, on that very occasion which is evidence of her bizarre level of bias and negligence for a judge, Fitzpatrick J. once more resorts to loaded language and pathetically and uninformedly writes that: "Dr. Masjoody's allegation took another bizarre turn."

(Appellant's (1) factum at para 70, (2) Appeal Record, pg 152 at para 72, and Appeal Book, pgs 270-284).

Likewise, Fitzpatrick's lies and fabrications extended to the facts regarding a consent order that was reached between the lawyers (without a hearing) to adjourn a hearing scheduled for April 2021 whereby allowing the plaintiff's then-newly hired lawyer to have time to review the court material. The judge, however, once more used her fabrications and fact-distortions about a simple matter to show her bias against the plaintiff, as is evident from paragraphs 77-78, among other places, in her Reasons.