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COURT OF APPEAL
REGISTRY

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Court of Appeal for British Columbia
400-800 Smithe St
Vancouver, BC, V6Z2C5

RE: CA47689 Masood Masjoody v Simon Fraser University
The Division conveniently declining to hear applications made on Dec 22, 2023

Ms. Torri Enderton of the Court of Appeal for British Columbia: I demand that this letter be delivered to the Chief Justice without any delay.

After the Division (1) failed to address the bias and judicial misconduct of Shelley Fitzpatrick of the court below, which should have inevitably voided all of her decisions as per the binding ruling of the Supreme Court of Canada, and (2) conveniently ignored the majority of my supporting arguments, on May 13, 2022, I wrote a letter to Chief Justice Bauman seeking his direction, which the Chief Justice referred to Tasneem Karbani to reply to. Since then, I have invariably held that the Division's conduct and judgment were so defective that could have not led to any order as to the fate of the appeal- this was also addressed to the Registrar on Dec 8, 2022. Subsequently, on Dec 22, 2022, I applied to the Division to (a) adjudicate the initially ignored matters by the Division and (b) re-open the appeal. Finally, on Jan 25, 2023, I wrote to the Chief Justice once more to address the conflicting interests of the Court's legal counsel, Tasneem Karbani who is a member of the Aga Khan cult, and the possible apprehension of bias of the Division.

I am now in receipt of a letter, dated today, on behalf of the Division (not a formal judgment) whereby the Division declined both of my applications. I note that the Division has also conveniently departed from the legal precedence of this very Court and has not issued a formal supplementary decision properly addressing my applications and the issues raised therein.

As I wrote to the Chief Justice on Jan 25 and iterate here,

"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."

In these circumstances, in case the Division is not prepared for any reason, including extrajudicial factors, to acknowledge a reasonable apprehension of ITS bias thereby recusing itself and giving way to an unbiased division of the court to decide my applications, I demand that my appeal material, including my latest applications, be considered as a fresh appeal brought timely for addressing the issue of the bias of Fitzpatrick, which this current division apparently sees too problematic to even address therefore persistently ignores it. (Given the vital unique role of the courts in a fair administration of justice, the Division's habit exemplifies the saying that the fish rots from the head.)

I would like to bring to the Court's attention that I have never seen a cause in my life higher than justice and, in particular, there is absolutely no cost that could prevent me from seeking justice in this unjust situation caused by not only the enablers of the terrorist regime of the Islamic Republic at Simon Fraser University and Shelley Fitzpatrick of the court below who seems to be acting in coordination with SFU and also the cult of Karim Aga Khan, but also the inhumane character-assassination scheme by members of the Aga Khan cult in the media for which they admittedly cannot present any rationalizing facts but the reprehensible conduct of Shelley Fitzpatrick in support of Islamist terrorists and their enablers. For the latter, I refer you once more to the action

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All things considered, I would be available any time today and tomorrow to discuss these issues in person with the Chief Justice so that a fair solution can be found. In the absence of such a solution and considering the upcoming statutory holiday on Monday, I will start an unlimited hunger strike at the Court of Appeal for British Columbia starting at 9 AM on Tuesday, February 21, 2023.

For Chief Justice's convenience, I am copying the appendix of my Jan-25 letter enumerating some instances of the barbarically biased and shockingly unprofessional conduct of Shelley Fitzpatrick 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/appellant.

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Appendix 1 of 1 (Copied from the letter of Jan 25, 2023)

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.