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F I L E D	FEDERAL COURT COUR FÉDÉRALE February 28, 2023 28 février 2023	D É P O S É
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**FORM 301 Rule 301
Notice of Application**

APPLICATION

(Court File No.)

FEDERAL COURT BETWEEN:

Mr. Teodor Novakovic

(Applicant)

and

Canada Revenue Agency

(Respondent)

**APPLICATION FOR JUDICIAL REVIEW OF DECISIONS MADE BY FEDERAL BOARDS,
COMMISSIONS OR OTHER TRIBUNALS**

Under:

Section 18.1 of the Federal Courts Act

Notice of Application

TO THE RESPONDENT:

A PROCEEDING HAS BEEN COMMENCED AGAINST YOU by the applicant. The relief claimed by the applicant appears below.

THIS APPLICATION will be heard by the Court at a time and place to be fixed by the Judicial Administrator. Unless the Court orders otherwise, the place of hearing will be as requested by the applicant. The applicant requests that this application be heard at (*place where Federal Court of Appeal (or Federal Court) ordinarily sits*).

IF YOU WISH TO OPPOSE THIS APPLICATION, to receive notice of any step in the application or to be served with any documents in the application, you or a solicitor acting for you must file a notice of appearance in Form 305 prescribed by the Federal Courts Rules and serve it on the applicant's solicitor or, if the applicant is self-represented, on the applicant, WITHIN 10 DAYS after being served with this notice of application.

Copies of the Federal Courts Rules, information concerning the local offices of the Court and other necessary information may be obtained on request to the Administrator of this Court at Ottawa (telephone 613-992-4238) or at any local office.

IF YOU FAIL TO OPPOSE THIS APPLICATION, JUDGMENT MAY BE GIVEN IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU.

(Date)

Issued by: (*Registry Officer*)

Address of local office:

TO: (*Name and address of each respondent*)

(*Name and address of every other person required to be served*)

Application

This is an application for the judicial review under Section 18.1 of the Federal Courts Act in respect of the Canada Revenue Agency (CRA), hereinafter referred as the tribunal, second review decision letter dated February 03, 2023 revoking the eligibility for Canada Emergency Response Benefit (CERB) and Canada Recovery Benefit (CRB); Reference Number: C0054000325-001-45.

Mr. Teodor Novakovic, hereinafter referred as the applicant, makes application to request from the Federal Court to:

- Order the tribunal to do reinstate the CERB and CRB eligibility for the applicant for years 2020 and 2021 respectively.

The grounds for the application are:

- The tribunal failed to observe a principle of natural justice, procedural fairness or other procedure that it was required by law to observe;
- The tribunal erred in law in making a decision or an order, whether or not the error appears on the face of the record; and
- The tribunal based its decision or order on an erroneous finding of fact that it made in a perverse or capricious manner or without regard for the material before it.

This application will be supported by the following material:

- Proof of income in the amount higher than the CERB/CRB threshold amount of 5 000\$ in 2019;
- Proof of lack of contractual employment opportunities in 2020 and 2021;
- Proof that the tribunal failed to consider all evidence provided by the applicant regarding his 2019 income yet is basing its decision on that criteria; and
- Proof that the tribunal failed to provide the opportunity to the applicant to explain/prove the absence or reduction of income in 2020 and 2021 as compared to 2019 yet is basing its decision on that criteria.

The applicant requests the tribunal to send a certified copy of the following material that is not in the possession of the applicant but is in the possession of the tribunal, to the applicant and to the Registry:

1. All documentation in possession by the tribunal regarding the applicant's income from 2019-2023;
2. All internal review documents (including e mails) pertaining to the applicant's income tax file for years 2019 onwards;

3. All phone call records between the applicant (or his authorised representative Ms. Tanja Kalajdzic) and the CRA pertaining the status of the CRA's review of the CERB/CRB eligibility (2019-2023).

Signed in Ottawa

February 28, 2023

Mr. Teodor Novakovic



120 Scorpio Mews,

Manotick, ON

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Ms. Tanja Kalajdzic (authorised representative):



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