

August 17th, 2020

Registries of the Federal Courts
Thomas D'Arcy McGee Building
90 Sparks Street, 5th floor
Ottawa, Ontario
Canada K1A 0H9

Tel./Tél. : (613) 992-4238
Fax/Télé. : (613) 952-3653

Sent via: Electronic E-Filing

Re: *Filing; Notice of Application for a Judicial Review [Alex Martinez v. Social Security Tribunal of Canada][Federal Court of Canada File Number: No File]*

To whom it may concern;

Please find enclosed for filing the Notice of Application in Form 301 for a Judicial Review, for the case of Alex Martinez v. Social Security Tribunal of Canada. Payment will be sent shortly.

Should you have any questions or concerns, please do not hesitate to contact me by mail or return e-mail at: case_am_072015@aol.com

Sincerely,



Alex Martinez
AM/am

Enclosure: i. Notice of Application; Alex Martinez v. Social Security Tribunal of Canada

Alex Martinez P.O. Box 30054 Brookfield P.O. 181 Bay Street Toronto, Ontario M5J 0A5 Canada
E-mail: case_am_072015@aol.com

FORM 66 - Rule 66

GENERAL HEADING

APPLICATION

NOTICE OF APPLICATION

FILE NO.: NO FILE

FEDERAL COURT

BETWEEN:

ALEX MARTINEZ

Applicant

and

SOCIAL SECURITY TRIBUNAL OF CANADA

Respondent(s)

APPLICATION UNDER Section(s) 300(a)(b)(c)(d)(e)(f)(g)(h) of the Federal Court of
Canada Rules

Social Security Tribunal of Canada

The Application for Leave to Appeal is Refused – Decision; No Employment Insurance
Benefits



FORM 301
Rule 301

Notice of Application

FEDERAL COURT

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FILE NO.: NO FILE

BETWEEN:

ALEX MARTINEZ

Applicant

and

SOCIAL SECURITY TRIBUNAL OF CANADA

Respondent(s)

Notice of Application

TO THE RESPONDENT:

A PROCEEDING HAS BEEN COMMENCED by the applicant. The relief claimed by the applicant appears on the following page.

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 *the Federal Court of Appeal*.

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:



ALEXANDER PETRANSKI
REGISTRY OFFICER
AGENT DU GREFFE

TO:

Stephen Bergen
Social Security Tribunal of Canada
PO Box 9812
Station T
Ottawa, Ontario
Canada K1G 6S3

Tel./Tél.: 613-437-1640
Tel./Tél. (Toll-free): 1-877-227-8577
Tel./Tél./TTY: 1-866-873-8381
Fax/Télé.: 1-613-941-5121
Fax/Télé. (Toll-free): 1-855-814-4117
E-mail/ Courriel: info.sst-tss@canada.gc.ca

Application

This is an application for judicial review in respect of
Section(s) 300 (a)(b)(c)(d)(e)(f)(g)(h) of the Federal Court of Canada Rules & Section
18.1(1) of the Federal Courts Act

The applicant makes application for:

1. This is an Application for Judicial Review sought by Alex Martinez on his own behalf and on behalf of Section(s) 300(a)(b)(c)(d)(e)(f)(g)(h) of the Federal Court of Canada Rules & Section 18.1(1) of the Federal Courts of Canada Act.

The grounds for the application are:

2. This is an Application for a Judicial Review in regards to the July 3rd, 2020 and July 30th, 2020; Decisions by the Social Security Tribunal of Canada; for the Appeal and Application for Leave to Appeal for the Decisions of the Canada Employment Insurance Commission.

3. The Application is being made for errors and non-compliance with the Social Security Tribunal Regulations, SOR/2013-60; as they did not exercise discretion properly as the case warrants further consideration; based on its merits.
4. The decisions made by all the Divisions of the Social Security Tribunal of Canada Divisions were made in haste and in 'error of Jurisdiction' as they did not exercise their powers of discretion to properly adjudicate this case. This is supported by the Employment Insurance Act; S.C. 1996, c. 23, for there are no provisions that limit their powers to preside; or, exercise discretion in this case.
5. On the contrary; for if they wish to exercise discretion, then they are able to proceed by way of 'analogy,' to form a decision that supports the exceedingly rare and unusual circumstances of this case. Therefore, the Social Security Tribunal of Canada is able to exercise sound judgment within the confines of the legislation by only having to inform the Office of the Minister so that they can intervene to authorize and approve benefits for this unusual circumstance and situation for the 'conflict of interest' that surrounds it. Seeing as she did not do this and comply with the law and an injustice occurred; then the matter must be addressed as part of a Judicial Review to rescind all the decisions of the Social Security Tribunal of Canada and approve benefits.
6. Since it was not, then the case is considered an 'error of law,' which also justifies the Judicial Review. In addition; the Applicant, Alex Martinez stopped working and has been prevented from continuing to work for reasons of an 'injustice' and suppression by the same individuals and organizations that the Social Security Tribunal of Canada and the Canada Employment Insurance Commission; work with.
7. It is also a 'Judicial Review' and a Counterclaim for damages for 'breach of a covenant;' as the work of the Applicant, Alex Martinez', investigations and research absolved Service Canada and the Administration of any wrongdoing for providing benefits to the Applicant; Alex Martinez. This is because, when loss of employment occurred for the scandal and abuse that had transpired in this case; the Applicant, Alex Martinez proved his innocence and that the entire case was false. This sacrifice warrants compensation for the time and money lost in correcting the problem and in declaring us all innocent parties in the corruption scandal that ensued which led to the successful prosecution of several police forces and officers.
8. The Applicant is seeking costs and damages for the trespasses and damages that have occurred for the delays and wait that have materialized for the maladministration and poor decisions made by the Social Security Tribunal of Canada.
9. Enrollment into Employment Insurance Benefits; or, another suitable program and Costs and damages of \$8,000,000 million dollars; and any other relief as the Court deems just.

10. An "Idem" and such further and other relief as the Honourable Court may deem just, as this 'Application' has raised an important new principle and costs should be awarded despite the outcome and decision of the court.
11. Such further and other grounds as the Honourable Court may allow.

This application will be supported by the following materials:

- i.) Affidavit on behalf of Alex Martinez; and
- ii.) Decision documents, email correspondence, exhibits and all other materials as the Honourable Court permits.

August 17th, 2020



Alex Martinez
P.O. Box 30054 Brookfield P.O.
181 Bay Street
Toronto, Ontario
Canada M5J 0A5
E-mail/ Courriel: case_am_072015@aol.com

- SOR/2004-283, ss. 35, 38
- SOR/2013-18, s. 16

I HEREBY CERTIFY that the above document is a true copy of the original filed in the Court./

JE CERTIFIE que le document ci-dessus est une copie conforme à l'original déposé au dossier de la Cour fédérale.

Filing date 25 Aug 2020
Date de dépôt 25 Aug 2020

Dated 25 Aug 2020
Fait le 25 Aug 2020



ALEXANDER PETRANSKI
REGISTRY OFFICER
AGENT DU GREFFE