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98 pages including this page

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December 27, 2014

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Dear Sirs/Mesdames:

Re: ALANI, Aniz v. The Prime Minister of Canada et al.
Court No: T-2506-14

I write to serve notice in accordance with Rule 110(a) of the *Federal Courts Rules*, SOR/98-106, of a potential question of general importance raised in the above referenced proceeding.

For your ease of reference, Rule 110 provides:

110. Where a question of general importance is raised in a proceeding, other than a question referred to in section 57 of the Act,
- (a) any party may serve notice of the question on the Attorney General of Canada and any attorney general of a province who may be interested;
 - (b) the Court may direct the Administrator to bring to the attention of the Attorney General of Canada and any attorney general of a province who may be interested; and
 - (c) the Attorney General of Canada and the attorney general of a province may apply for leave to intervene.

In my view, notice of a constitutional question is not required in this proceeding under section 57 of the *Federal Courts Act*, R.S.C. 1985, c. F-7, because the relief sought in the notice of application does not call into question the "constitutional validity, applicability or operability of an Act of Parliament or of the legislature of any province, or of regulations thereunder" within the meaning of that section: see, for example, *Mikisew Cree First Nation v. Canada (Minister of Canadian Heritage)*, 2004 FCA 66 at paras. 70-81 (per Sharlow J.A., dissenting, but not on this point).

I am also not aware of any judicial or statutory interpretation of the phrase "question of general importance" as used in Rule 110(a), which I note is permissive in respect of notice being served in any event.

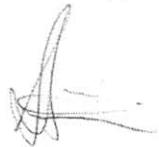
Out of an abundance of caution, therefore, and in particular to avoid any unnecessary obstacle to securing the just, most expeditious and least expensive determination of this proceeding on its merits, I am enclosing a copy of the Notice of Application filed on December 8, 2014 and served on the respondents under Rule 133.

If your respective province or territory intends to apply for leave to intervene in accordance with Rules 109 or 110, kindly advise at your earliest convenience.

For expediency, I would be especially grateful if any correspondence regarding this matter could be sent by email to senate.vacancies@anizalani.com.

Kindly acknowledge service of this notice by signing and returning the duplicate copy of this page enclosed for this purpose.

Sincerely,

A handwritten signature in dark ink, appearing to be 'Aniz Alani', written over a light blue horizontal line.

Aniz Alani

Encl.

- Notice of Application

cc: Department of Justice Canada, attn: Messrs. Jan Brongers and Oliver Pulleyblank, counsel for the Respondents (via email: jan.brongers@justice.gc.ca and oliver.pulleyblank@justice.gc.ca)