

Federal Court



Cour fédérale

Date: 20240123

Docket: T-306-22

Citation: 2024 FC 31

Ottawa, Ontario, January 23, 2024

PRESENT: The Honourable Mr. Justice Mosley

BETWEEN:

**CANADIAN FRONTLINE NURSES and KRISTEN
NAGLE**

Applicants

and

THE ATTORNEY GENERAL OF CANADA

Respondent

JUDGMENT

UPON an application for judicial review filed on February 18, 2022 in respect of the Order in Council PC Number: 2022-106 proclamation of a public order emergency issued February 14, 2022 (the “Public Order Emergency Proclamation”) pursuant to subsection 17(1) of the *Emergencies Act*, RSC 1985, c 22 (4th Supp) (the “Emergencies Act”);

AND UPON the motion of the Respondent, the Attorney General of Canada, filed on April 11, 2022 to strike the Application on the basis that the applicants lacked standing and the underlying application is moot;

AND UPON reading the materials filed and hearing the oral representations of counsel for the parties on April 3, 2023;

AND UPON determining that the Applicants lack standing to bring the underlying application for reasons provided separately;

AND UPON considering that the Respondent has not requested costs.

THIS COURT ORDERS that:

1. The application is dismissed.
2. No costs are awarded.

"Richard G. Mosley"

Judge

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: T-306-22

STYLE OF CAUSE: CANADIAN FRONTLINE NURSES and KRISTEN NAGLE V THE ATTORNEY GENERAL OF CANADA

PLACE OF HEARING: OTTAWA, ONTARIO

DATE OF HEARING: APRIL 3-5, 2023

JUDGMENT: MOSLEY J.

DATED: JANUARY 23, 2024

APPEARANCES:

David G. Cowling
Alexander Boissonneau-Lehner

FOR THE APPLICANTS

Christopher Rupar
John Provar
David Aaron
Kathleen Kohlman

FOR THE RESPONDENT

SOLICITORS OF RECORD:

Johnstone & Cowling LLP
Toronto, Ontario

FOR THE APPLICANTS

Attorney General of Canada
Toronto, Ontario

FOR THE RESPONDENT