

Date: 20080403

Docket: A-72-07

Citation: 2008 FCA 121

Present: NADON J.A.

BETWEEN:

EDSON EMILIO ALVAREZ GARCIA

Applicant

and

ATTORNEY GENERAL OF CANADA

Respondent

Dealt with in writing without appearance of parties.

Order delivered at Ottawa, Ontario, on April 3, 2008.

REASONS FOR ORDER BY:

NADON J.A.

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REASONS FOR ORDER

NADON J.A.

[1] On November 20, 2007, Ryer J.A. granted leave to the applicant to serve and file a Supplementary Record for the sole purpose of adducing into the record copy of a Memorandum dated July 29, 2005, prepared by Ms. Dorothy Brown, in her capacity as an employee of Human Resources and Skills Development Canada, and that related to the entitlement of Mr. Garcia to the employment insurance benefits that he claims.

[2] The Supplementary Record filed by the applicant on February 8, 2008, is clearly not in accordance with Ryer J.A.'s Order. As the respondent points out in its Notice of Motion, the Supplementary Record introduces additional facts, legal arguments, conclusions and authorities.

[3] The motion shall therefore be allowed and the Supplementary Record will be struck from the record. I am prepared, however, to grant leave to the applicant to file a Supplementary Record which complies with Ryer J.A.'s Order. Accordingly, the applicant may file such a record by no later than April 21, 2008.

“M. Nadon”

J.A.

FEDERAL COURT OF APPEAL

NAMES OF COUNSEL AND SOLICITORS OF RECORD

DOCKET:

A-72-07

STYLE OF CAUSE:

EDSON EMILIO ALVAREZ
GARCIA v. A.G.C.

MOTION DEALT WITH IN WRITING WITHOUT APPEARANCE OF PARTIES

REASONS FOR ORDER BY:

NADON J.A.

DATED:

APRIL 3, 2008

WRITTEN REPRESENTATIONS BY:

Edson Emilio Alvarez Garcia

APPLICANT ON HIS OWN
BEHALF

Nicholas R. Banks
Pauline Leroux

FOR THE RESPONDENT

SOLICITORS OF RECORD:

John H. Sims, Q.C.
Deputy Attorney General of Canada

FOR THE RESPONDENT