

Federal Court
of Appeal



Cour d'appel
fédérale

Date: 20100325

Docket: A-284-09

Citation: 2010 FCA 86

**CORAM: BLAIS C.J.
NADON J.A.
TRUDEL J.A.**

BETWEEN:

ASSOCIATION DES CREVETTIERS ACADIENS DU GOLFE INC.,
duly incorporated under the laws of New Brunswick,
MICHEL LÉGÈRE, in his personal capacity and in his capacity as representative of
the Association des crevettiers acadiens du Golfe inc.,
ASSOCIATION DES PÊCHEURS DE CREVETTES DE MATANE INC.,
duly incorporated under the laws of Quebec,
PIERRE CANTIN, in his personal capacity and in his capacity as representative of
the Association des Pêcheurs de crevettes de Matane inc., and **O'NEIL BOND**.

Appellants

and

ATTORNEY GENERAL OF CANADA

Respondent

Heard at Montréal, Quebec, on March 25, 2010.

Judgment delivered from the Bench at Montréal, Quebec, on March 25, 2010.

REASONS FOR JUDGMENT OF THE COURT BY:

NADON J.A.

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REASONS FOR JUDGMENT OF THE COURT
(Delivered from the Bench at Montréal, Quebec, on March 25, 2010)

NADON J.A.

[1] In the circumstances of the case and taking into account the scope of the request for production of materials in the appellants' motion, this Court is of the opinion that although it cannot fully subscribe to the reasoning of Prothonotary Tahib, she did not err in law or err in her appreciation of the facts in making her decision. In other words, we are not satisfied that the Prothonotary was clearly wrong or applied a wrong principle in exercising her discretion.

[2] This Court is also of the opinion that the Prothonotary's decision does not in any way raise a question determinative of the outcome of the case. Accordingly, Justice Harrington was correct not to intervene.

[3] For these reasons, the appeal will be dismissed with costs.

“M. Nadon”

J.A.

Certified true translation
Sarah Burns

FEDERAL COURT OF APPEAL

NAMES OF COUNSEL AND SOLICITORS OF RECORD

DOCKET: A-285-09

STYLE OF CAUSE: ASSOCIATION DES
CREVETTIERS ACADIENS DU
GOLFE INC. v. ATTORNEY
GENERAL OF CANADA

PLACE OF HEARING: Montréal, Quebec

DATE OF HEARING: March 25, 2010

REASONS FOR JUDGMENT OF THE COURT BY: Blais C.J.
Nadon J.A.
Trudel J.A.

DELIVERED FROM THE BENCH BY: Nadon J.A.

APPEARANCES:

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SOLICITORS OF RECORD:

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