

**Federal Court of Appeal**



**Cour d'appel fédérale**

**Date: 20130930**

**Docket: A-492-12**

**Citation: 2013 FCA 229**

**CORAM: NOËL J.A.  
PELLETIER J.A.  
TRUDEL J.A.**

**BETWEEN:**

**SYLVAIN ROBERT**

**Appellant**

**and**

**ATTORNEY GENERAL OF CANADA  
AND  
MULTI OPTIONS NURSING INC.**

**Respondents**

Heard at Montréal, Quebec, on September 30, 2013.

Judgment delivered from the bench at Montréal, Quebec, on September 30, 2013.

**REASONS FOR JUDGMENT OF THE COURT BY:**

**NOËL J.A.**

Federal Court of Appeal



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**REASONS FOR JUDGMENT OF THE COURT**

**(Delivered from the bench at Montréal, Quebec, on September 30, 2013)**

**NOËL J.A.**

[1] This is an appeal from a decision of the Federal Court in which Justice Pinard dismissed an application for judicial review filed by Dr. Sylvain Robert (the appellant) against a decision by Correctional Service Canada (CSC) to award to Multi Options Nursing Inc. (MON) a service contract for the provision of dental care to the inmates of the Laval Complex.

[2] Notwithstanding Mr. Racicot's excellent arguments, we were unable to identify any error that would justify this Court's intervention. We consider it useful to add that the appellant's main argument appears to us to be based on an incorrect premise. Although the contract between MON and CSC could be read differently, the evidence unequivocally demonstrates that the agreement reached by the parties was that MON, as an employment agency, would make available to CSC the services of a qualified dentist.

[3] The appeal will be dismissed with costs.

“Marc Noël”

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J.A.

Certified true translation  
Erich Klein

**FEDERAL COURT OF APPEAL**

**SOLICITORS OF RECORD**

**DOCKET:** A-492-12

**APPEAL FROM AN ORDER OF THE HONOURABLE JUSTICE PINARD DATED  
OCTOBER 26, 2012, DOCKET NO. T-1033-11**

**STYLE OF CAUSE:** SYLVAIN ROBERT v. ATTORNEY  
GENERAL OF CANADA AND  
MULTI OPTIONS NURSING INC.

**PLACE OF HEARING:** MONTRÉAL, QUEBEC

**DATE OF HEARING:** SEPTEMBER 30, 2013

**REASONS FOR JUDGMENT OF THE COURT BY:** NOËL J.A.  
PELLETIER J.A.  
TRUDEL J.A.

**DELIVERED FROM THE BENCH BY:**  
NOËL J.A.

**APPEARANCES:**

Marc-Aurèle Racicot FOR THE APPELLANT

Marc Ribeiro FOR THE RESPONDENT  
ATTORNEY GENERAL OF  
CANADA

Eric Orlup FOR THE RESPONDENT MULTI  
OPTIONS NURSING INC.

**SOLICITORS OF RECORD:**

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CANADA

BCF, LLP FOR THE RESPONDENT MULTI  
Québec, Quebec OPTIONS NURSING INC.

