

**Federal Court of Appeal**



**Cour d'appel fédérale**

**Date: 20160120**

**Docket: A-543-14**

**Citation: 2016 FCA 18**

**CORAM: TRUDEL J.A.  
DE MONTIGNY J.A.  
GLEASON J.A.**

**BETWEEN:**

**RACHEL EXETER**

**Appellant**

**and**

**ATTORNEY GENERAL OF CANADA  
(Deputy Head, Statistic Canada)**

**Respondent**

Heard at Ottawa, Ontario, on January 20, 2016.  
Judgment delivered from the Bench at Ottawa, Ontario, on January 20, 2016.

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

**TRUDEL J.A.**

**Federal Court of Appeal**



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**RACHEL EXETER**

**Appellant**

**and**

**ATTORNEY GENERAL OF CANADA  
(Deputy Head Statistic Canada)**

**Respondent**

**REASONS FOR JUDGMENT OF THE COURT  
(Delivered from the Bench at Ottawa, Ontario, on January 20, 2016).**

**TRUDEL J.A.**

[1] We are all of the view that the Motions Judge was right in not interfering with the Prothonotary's Order. The Motions Judge's Order was arrived at on a proper basis (2014 FC 1160). We agree that the Prothonotary properly exercised her discretion not to stay the proceeding. This question was not vital to the issue of the case.

[2] As a result, we find no error in the Motions Judge's Order justifying our intervention. More particularly, we are satisfied that the Motions Judge's reasons were sufficient and dealt with all the issues raised by the appellant. Moreover, there is simply no basis for an allegation of bias in this case and it was improper to make such an allegation.

[3] Consequently, the appeal will be dismissed with all-inclusive costs assessed at \$5,000 payable forthwith. No further Notices of Appeal with respect to interlocutory matters in file T-943-12 shall be accepted for filing unless Ms. Exeter provides written confirmation that these costs have been paid.

"Johanne Trudel"

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J.A.

**FEDERAL COURT OF APPEAL**

**NAMES OF COUNSEL AND SOLICITORS OF RECORD**

**DOCKET:** A-543-14  
**STYLE OF CAUSE:** RACHEL EXETER v. ATTORNEY  
GENERAL OF CANADA  
(DEPUTY HEAD, STATISTICS  
CANADA)

**PLACE OF HEARING:** Ottawa, Ontario

**DATE OF HEARING:** JANUARY 20, 2016

**REASONS FOR JUDGMENT OF THE COURT BY:** TRUDEL J.A.  
DE MONTIGNY J.A.  
GLEASON J.A.

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

**APPEARANCES:**

Rachel Exeter SELF-REPRESENTED

Léa Bou Karam FOR THE RESPONDENT  
ATTORNEY GENERAL OF  
CANADA (DEPUTY HEAD,  
STATISTICS CANADA)

**SOLICITORS OF RECORD:**

William F. Pentney FOR THE RESPONDENT  
Deputy Attorney General of Canada  
Ottawa, Ontario ATTORNEY GENERAL OF  
CANADA (DEPUTY HEAD,  
STATISTICS CANADA)