

**Federal Court of Appeal**



**Cour d'appel fédérale**

**Date: 20160125**

**Docket: A-265-15**

**Citation: 2016 FCA 22**

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

**BETWEEN:**

**THE PRIME MINISTER OF CANADA AND  
THE GOVERNOR GENERAL OF CANADA**

**Appellants**

**And**

**ANIZ ALANI**

**Respondent**

Heard at Vancouver, British Columbia, on January 25, 2016.  
Judgment delivered from the Bench at Vancouver, British Columbia, on January 25, 2016.

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

**PELLETIER J.A.**

Federal Court of Appeal



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**REASONS FOR JUDGMENT OF THE COURT**

**(Delivered from the Bench at Vancouver, British Columbia, on January 25, 2016).**

**PELLETIER J.A.**

[1] We have not been persuaded that the motions judge erred in concluding that it was not plain and obvious that Mr. Alani's application was bound to fail.

[2] We further add that, notwithstanding the Supreme Court's decision in *Hryniak v. Mauldin*, 2014 SCC 7, [2014] 1 S.C.R. 87, it is preferable that the important and complex issues

raised by the application, if they are to be decided, be decided on as complete a record as possible.

[3] The appeal will be dismissed with costs fixed in the amount of \$1,500 all inclusive.

"J.D. Denis Pelletier"

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J.A.

**FEDERAL COURT OF APPEAL**

**NAMES OF COUNSEL AND SOLICITORS OF RECORD**

**DOCKET:** A-265-15

**(APPEAL FROM AN ORDER OF THE HONOURABLE MR. JUSTICE HARRINGTON OF THE FEDERAL COURT, DATED MAY 21, 2015, DOCKET NO. T-2506-14)**

**STYLE OF CAUSE:** THE PRIME MINISTER OF CANADA AND THE GOVERNOR GENERAL OF CANADA v. ANIZ ALANI

**PLACE OF HEARING:** Vancouver, British Columbia

**DATE OF HEARING:** JANUARY 25, 2016

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

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

**APPEARANCES:**

Jan Brongers FOR THE APPELLANTS  
Oliver Pulleyblank

Aniz Alani FOR THE RESPONDENT

**SOLICITORS OF RECORD:**

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