

Federal Court of Appeal



Cour d'appel fédérale

Date: 20160921

Docket: A-470-15

Citation: 2016 FCA 235

**CORAM: GAUTHIER J.A.
STRATAS J.A.
GLEASON J.A.**

BETWEEN:

CAITLIN DOELL

Appellant

and

**HER MAJESTY THE QUEEN
HER MAJESTY THE QUEEN IN COUNCIL
THE RECEIVER GENERAL
THE ATTORNEY GENERAL
THE FEDERAL FINANCE MINISTER**

Respondents

Heard at Vancouver, British Columbia, on September 21, 2016.
Judgment delivered from the Bench at Vancouver, British Columbia, on September 21, 2016.

REASONS FOR JUDGMENT OF THE COURT BY:

STRATAS 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 September 21, 2016).

STRATAS J.A.

[1] By order dated September 4, 2015, the Federal Court (*per* Lafrenière P.) struck out the appellant's statement of claim. The Federal Court held that the statement of claim did not advance a viable cause of action. The appellant appealed under Rule 51. By order dated

October 19, 2015, the Federal Court (*per* Zinn J.) dismissed the appeal. The appellant now appeals to this Court.

[2] We agree with both sets of reasons in the Federal Court. Both accurately characterized the appellant's claim as one for a right not to work and to be afforded an adequate standard of living based on her status as a person born in Canada and based on several documents of a constitutional, international and legislative nature. In this Court, the appellant submits that a more accurate characterization is that she owns a share of the Consolidated Revenue Fund and it should be awarded to her. Under either characterization, this claim cannot succeed in law. Therefore, we shall dismiss the appeal.

[3] At the conclusion of the hearing, we invited submissions from the parties on the issue of costs. We have considered those submissions.

[4] Considering that this is the second appeal in a matter that has been adjudged twice before to be wholly without merit—and the same is true for this appeal—we shall also award the respondents their costs of this appeal, fixed in the amount of \$2,600, all inclusive.

"David Stratas"

J.A.

FEDERAL COURT OF APPEAL

NAMES OF COUNSEL AND SOLICITORS OF RECORD

DOCKET: A-470-15

APPEAL FROM AN ORDER OF THE HONOURABLE MR. JUSTICE ZINN OF THE FEDERAL COURT, DATED OCTOBER 19, 2015, DOCKET NO. T-1338-15

STYLE OF CAUSE: CAITLIN DOELL v. HER MAJESTY THE QUEEN, HER MAJESTY THE QUEEN IN COUNCIL, THE RECEIVER GENERAL, THE ATTORNEY GENERAL, THE FEDERAL FINANCE MINISTER

PLACE OF HEARING: VANCOUVER, BRITISH COLUMBIA

DATE OF HEARING: SEPTEMBER 21, 2016

REASONS FOR JUDGMENT OF THE COURT BY: GAUTHIER J.A.
STRATAS J.A.
GLEASON J.A.

DELIVERED FROM THE BENCH BY: STRATAS J.A.

APPEARANCES:

Caitlin Doell ON HER OWN BEHALF

Jan Verspoor FOR THE RESPONDENTS

SOLICITORS OF RECORD:

William F. Pentney FOR THE RESPONDENTS
Deputy Attorney General of Canada
Ottawa, Ontario