

Date: 20080918

Docket: A-19-08

Citation: 2008 FCA 272

**CORAM: NADON J.A.
SEXTON J.A.
PELLETIER J.A.**

BETWEEN:

HER MAJESTY THE QUEEN

Appellant

and

**NTA TRANSPORT INC. (“Nolan”) et. al., as set out in Schedule “A”
 (“Owner/Operator”)**

Respondents

Heard at Toronto, Ontario, on September 18, 2008.

Judgment delivered from the Bench at Toronto, Ontario, on September 18, 2008.

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 Toronto, Ontario, on September 18, 2008)

NADON J.A.

[1] We have not been persuaded that Snider J. made any error in concluding that she would not interfere with Prothonotary Milczynski’s order which dismissed the appellant’s motion to remove the respondent NTA Transport Inc. (“Nolan”) as a plaintiff in the proceedings before the Federal Court.

[2] The appeal will therefore be dismissed with costs.

“M. Nadon”

J.A.

FEDERAL COURT OF APPEAL

NAMES OF COUNSEL AND SOLICITORS OF RECORD

DOCKET: A-19-08

(APPEAL FROM AN ORDER OF THE HONORABLE MADAM JUSTICE SNIDER DATED NOVEMBER 20, 2007 AND MOTION DOCUMENT NO. 17, IN FEDERAL COURT DOCKET NO. T-2289-05.)

STYLE OF CAUSE: HER MAJESTY THE QUEEN v. NTA
TRANSPORT INC. (“Nolan”) et. al., as set out in
Schedule “A” (“Owner/Operator”)

PLACE OF HEARING: Toronto, Ontario

DATE OF HEARING: September 18, 2008

REASONS FOR JUDGMENT OF THE COURT BY: (NADON, SEXTON & PELLETIER
JJ.A.)

DELIVERED FROM THE BENCH BY: NADON J.A.

APPEARANCES:

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Agnieszka Zagorska

FOR THE APPELLANT

Israel A. Ludwig

FOR THE RESPONDENTS

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FOR THE RESPONDENTS