

Date: 20081029

Docket: A-350-07

Citation: 2008 FCA 336

**CORAM: LINDEN J.A.
SEXTON J.A.
BLAIS J.A.**

BETWEEN:

THE ATTORNEY GENERAL OF CANADA

Applicant

and

HOLLY EVANS

Respondent

Heard at Halifax, Nova Scotia, on October 29, 2008.

Judgment delivered from the Bench at Halifax, Nova Scotia, on October 29, 2008.

REASONS FOR JUDGMENT OF THE COURT BY:

LINDEN J.A.

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LINDEN J.A.

[1] Despite the excellent argument of counsel for the Crown, in light of the vagueness of the relevant legislative provisions and the lack of clarity in the jurisprudence on the issue, we have not been persuaded that the Umpire made any error that would warrant our intervention.

This application will be dismissed.

"A.M. Linden"

J.A.

FEDERAL COURT OF APPEAL

NAMES OF COUNSEL AND SOLICITORS OF RECORD

DOCKET: A-350-07

APPLICATION FOR JUDICIAL REVIEW OF A DECISION OF THE UMPIRE RONALD C. STEVENSON, IN THE MATTER OF THE EMPLOYMENT INSURANCE ACT, S.C. 1996, c. 23, DATED JUNE 18, 2007.

STYLE OF CAUSE: Attorney General of Canada v.
HOLLY EVANS

PLACE OF HEARING: Halifax, Nova Scotia

DATE OF HEARING: October 29, 2008

REASONS FOR JUDGMENT OF THE COURT BY: LINDEN, SEXTON, BLAIS JJ.A.

DELIVERED FROM THE BENCH BY: LINDEN J.A.

APPEARANCES:

Korinda MacLaine FOR THE APPLICANT

Holly Evans FOR THE RESPONDENT

SOLICITORS OF RECORD:

John H. Sims, Q.C.
Deputy Attorney General of Canada FOR THE APPLICANT

Self-represented FOR THE RESPONDENT