

Date: 20090302

Docket: A-510-08

Citation: 2009 FCA 34

Present: NOËL J.A.

BETWEEN:

HAMID BARADARAN and SHIVA KHODABAKHSH

Appellants

and

THE MINISTER OF NATIONAL REVENUE

Respondent

Dealt with in writing without appearance of parties.

Order delivered at Ottawa, Ontario, on March 2, 2009.

REASONS FOR ORDER BY:

NOËL J.A.

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REASONS FOR ORDER

NOËL J.A.

[1] By order dated February 4, 2009, Desjardins J.A. denied the appellants' motion to remove the transcript of the Tax Court proceedings (item 11) from the contents of the Appeal Book. The argument was that the appellants could not afford the cost of the transcript which based on the affidavit evidence was \$1, 375.

[2] The appellants by motion dated February 13, 2009, again ask for the transcript to be removed from the contents of the Appeal Book for the same reason.

[3] This issue cannot be addressed by the Court since it has already been decided. The motion is accordingly denied, and the time for filing the Appeal Book is extended to Friday, March 20, 2009.

“Marc Noël”

J.A.

FEDERAL COURT OF APPEAL

NAMES OF COUNSEL AND SOLICITORS OF RECORD

DOCKET: A-510-08

STYLE OF CAUSE: HAMID BARADARAN and SHIVA
KHODABAKHSH and
THE MINISTER OF NATIONAL
REVENUE

MOTION DEALT WITH IN WRITING WITHOUT APPEARANCE OF PARTIES

REASONS FOR ORDER BY: NOËL J.A.

DATED: March 2, 2009

WRITTEN REPRESENTATIONS BY:

Hamid Baradaran
Shiva Khodabakhsh

FOR THE APPELLANTS

Valerie Meier

FOR THE RESPONDENT

SOLICITORS OF RECORD:

John H. Sims, Q.C.
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FOR THE RESPONDENT