

Federal Court  
of Appeal



Cour d'appel  
fédérale

**Date: 20100325**

**Docket: A-285-09**

**Citation: 2010 FCA 87**

**CORAM: BLAIS C.J.  
NADON J.A.  
TRUDEL J.A.**

**BETWEEN:**

**ASSOCIATION DES CRABIERS ACADIENS INC.**, a company duly incorporated under the laws of New Brunswick, **JOËL GIONET**, in his personal capacity and in his capacity as President of the Association des crabiers acadiens inc., **ASSOCIATION DES CRABIERS GASPÉSIENS INC.**, an incorporated association registered under the laws of Quebec, **MARC COUTURE**, in his personal capacity and in his capacity as Administrator of the Association des crabiers gaspésiens inc., **ASSOCIATION DES CRABIERS DE LA BAIE**, an unincorporated association registered under the laws of Quebec, **DANIEL DESBOIS**, in his personal capacity and in his capacity as Administrator of the Association des crabiers de la Baie, and **ROBERT F. HACHÉ**

**Appellants**

**and**

**ATTORNEY GENERAL OF CANADA**

**Respondent**

Heard at Montréal, Quebec, on March 25, 2010.

Judgment delivered from the Bench at Montréal, Quebec, on March 25, 2010.

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 Montréal, Quebec, on March 25, 2010)**

**NADON J.A.**

[1] In the circumstances of the case and taking into account the scope of the request for production of materials in the appellants' motion, this Court is of the opinion that although it cannot fully subscribe to the reasoning of Prothonotary Morneau, he did not err in law or err in his appreciation of the facts in making his decision. In other words, we are not satisfied that the Prothonotary was clearly wrong or applied a wrong principle in exercising his discretion.

[2] This Court is also of the opinion that the Prothonotary's decision does not in any way raise a question determinative of the outcome of the case. Accordingly, Justice Harrington was correct not to intervene.

[3] For these reasons, the appeal will be dismissed with costs.

“M. Nadon”

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J.A.

Certified true translation  
Sarah Burns

**FEDERAL COURT OF APPEAL**

**NAMES OF COUNSEL AND SOLICITORS OF RECORD**

**DOCKET:** A-285-09

**STYLE OF CAUSE:** ASSOCIATION DES CRABIERS  
ACADIENS INC. v. ATTORNEY  
GENERAL OF CANADA

**PLACE OF HEARING:** Montréal, Quebec

**DATE OF HEARING:** March 25, 2010

**REASONS FOR JUDGMENT OF THE COURT BY:** Blais C.J.  
Nadon J.A.  
Trudel J.A.

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

**APPEARANCES:**

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**SOLICITORS OF RECORD:**

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