

Federal Court
of Appeal



Cour d'appel
fédérale

Date: 20101013

Docket: A-34-10

Citation: 2010 FCA 264

**CORAM: NADON J.A.
TRUDEL J.A.
MAINVILLE J.A.**

BETWEEN:

HRATCH SAHAGUIAN

Appellant

and

HER MAJESTY THE QUEEN

Respondent

Heard at Montréal, Quebec, on October 13, 2010.

Judgment delivered from the Bench at Montréal, Quebec, on October 13, 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 October 13, 2010)

NADON J.A.

[1] As there can be no doubt whatsoever that the appellant's Statement of Claim does not disclose a cause of action, we can only conclude that neither Prothonotary Morneau nor Martineau J. made any error in striking it.

[2] The appeal shall therefore be dismissed with costs which shall be taxed at the highest column of Tariff B.

“M. Nadon”

J.A.

FEDERAL COURT OF APPEAL

NAMES OF COUNSEL AND SOLICITORS OF RECORD

DOCKET: A-34-10

(APPEAL FROM AN ORDER OF THE HONOURABLE MR. JUSTICE MARTINEAU OF THE FEDERAL COURT DATED JANUARY 19, 2010, DOCKET NO. T-1760-09)

STYLE OF CAUSE: HRATCH SAHAGUIAN v.
HER MAJESTY THE QUEEN

PLACE OF HEARING: Montréal, Quebec

DATE OF HEARING: October 13, 2010

REASONS FOR JUDGMENT OF THE COURT BY: NADON J.A.
TRUDEL J.A.
MAINVILLE J.A.

DELIVERED FROM THE BENCH BY: NADON J.A.

APPEARANCES:

Hratch Sahaguian
(on his own behalf)

FOR THE APPELLANT

Antoine Lippé

FOR THE RESPONDENT

SOLICITORS OF RECORD:

Myles J. Kirvan
Deputy Attorney General of Canada

FOR THE RESPONDENT