

Federal Court  
of Appeal



Cour d'appel  
fédérale

**Date: 20101020**

**Docket: A-77-09**

**Citation: 2010 FCA 276**

**CORAM: BLAIS C.J.  
PELLETIER J.A.  
MAINVILLE J.A.**

**BETWEEN:**

**CLOTILDE BÉRUBÉ**

**Appellant**

**and**

**HER MAJESTY THE QUEEN IN RIGHT OF CANADA**

**and**

**THE ATTORNEY GENERAL FOR QUEBEC**

**Respondents**

Heard at Ottawa, Ontario, on October 20, 2010.

Judgment delivered at Ottawa, Ontario, on October 20, 2010.

**REASONS FOR JUDGMENT BY:**

**THE COURT**

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**REASONS FOR JUDGMENT OF THE COURT**

[1] Taking into account the standard of review established by the Supreme Court of Canada in *Housen v. Nikolaisen*, 2002 SCC 33 and after reviewing carefully the written and oral submissions made by both parties, we have not been persuaded that the Federal Court judge's decision discloses any error of law or any other error that warrant the intervention of this Court.

[2] It was open to the Federal Court judge to conclude as he did.

[3] The appeal will therefore be dismissed with costs in this Court.

« Pierre Blais »

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Chief Justice

« J.D. Denis Pelletier »

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J.A.

« Robert M. Mainville »

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J.A.

**FEDERAL COURT OF APPEAL**  
**NAMES OF COUNSEL AND SOLICITORS OF RECORD**

**DOCKET:** A-77-09

Appeal from a decision of Justice Shore, January 20, 2009 (T-1780-08)

**STYLE OF CAUSE:** Clotilde Bérubé, v. Her Majesty the Queen and The Attorney General for Quebec

**PLACE OF HEARING:** Ottawa, Ontario

**DATE OF HEARING:** October 20, 2010

**REASONS FOR JUDGMENT BY:** THE COURT

**DATED:** October 20, 2010

**APPEARANCES:**

Clotilde Bérubé FOR THE APPELLANT

Stéphanie Dion and Vincent Veilleux FOR THE RESPONDENT HER MAJESTY THE QUEEN

**SOLICITORS OF RECORD:**

Clotilde Bérubé FOR THE APPELLANT

Myles J. Kirvin FOR THE RESPONDENT HER MAJESTY THE QUEEN  
Deputy Attorney General of Canada

Bernard, Roy FOR THE RESPONDENT THE ATTORNEY GENERAL FOR QUEBEC  
Justice - Montreal