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Court File No.

FEDERAL COURT

BETWEEN

David Hamlin

And

The Department of Fisheries and Oceans Canada

APPLICATION UNDER Section 41 of the Privacy Act.

Notice of Application

TO THE RESPONDENT:

A PROCEEDING HAS BEEN COMMENCED AGAINST YOU by the applicant. The relief claimed by the applicant appears below.

THIS APPLICATION will be heard by the Court at a time and place to be fixed by the Judicial Administrator. Unless the Court orders otherwise, the place of hearing will be as requested by the applicant. The applicant requests that this application be heard at the Federal Courthouse located at 701 West Georgia Street, Vancouver, British Columbia or virtually through video conference.

IF YOU WISH TO OPPOSE THIS APPLICATION, to receive notice of any step in the application or to be served with any documents in the application, you or a solicitor acting for you must file a notice of appearance in Form 305 prescribed by the Federal Court Rules and serve it on the applicant's solicitor or, if the applicant is self-represented, on the applicant, WITHIN 10 DAYS after being served with this notice of application.

Copies of the Federal Court Rules, information concerning the local offices of the Court and other necessary information may be obtained on request to the Administrator of this Court in Ottawa (telephone 613-992-4238) or at any local office.

IF YOU FAIL TO OPPOSE THIS APPLICATION, JUDGEMENT MAY BE GIVEN IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU.

January 17, 2023

Issued by:

Federal Court
Pacific Centre
P.O. Box 10065
701 West Georgia Street,
Vancouver, British Columbia

TO: The Attorney General of Canada, located at The House of Commons, Ottawa, Ontario.

The applicant makes application for a review of the decision made by The Department of Fisheries and Oceans Canada to refuse to provide the applicant with their information in regards to the applicant's Privacy Act request (DFO file P-2021-01524) as per Section 41 of the Privacy Act.

The grounds for the application are by failing to provide the applicant with the information sought in the applicant's Privacy Act request (DFO file P-2021-01524) and upon the findings of the investigation conducted by the Privacy Commissioner that the applicant's complaint against the Department of Fisheries and Oceans Canada was well-founded, dated December 19, 2022 and received by the applicant on January 4, 2023.

This application will be supported by the following material: The Investigation Report of the Privacy Commissioner and the Affidavit of the applicant.

Pursuant to Rule 317, the applicant requests The Department of Fisheries and Oceans Canada to send a certified copy of the following material that is not in the possession of the applicant but is in the possession of The Department of Fisheries and Oceans Canada to the applicant and to the Registry:

1) Any and all data and meta-data that is in the possession of the Department of Fisheries and Oceans that has any mention of my name, {Dave Hamlin or David Hamlin} or any portion thereof, my {"PRI" 075-544-946 or my badge number 3478.}

2) Any and all emails - both sent and received, that were within my former email account{ (david.hamlin@dfo-mpo.gc.ca) } that were contained in the folders titled "Logbook", "Promotion", "Communications", "Regina".

3) Any and all documents, data and meta-data that are contained on the desktop of my work laptop computer within the folders titled "Regina", "Competencies", "Logbook", {"D.Hearing" } and anything else that has my name, {Dave or David Hamlin} or any portion thereof mentioned within it.

4) Any and all handwritten notes made by any employee of the Department of Fisheries and Oceans that mentions {my name, Dave or David Hamlin} or any portion thereof, any abbreviation of my name, and/or in inference of my name.

5) Any and all emails between any employee(s) of the Department of Fisheries and Oceans which contain my name, {Dave or David Hamlin or any portion thereof, my "PRI" 075-544-946 or badge number 3478.}

6) Any and all documents, either paper or electronic that are in the possession of the Department of Fisheries and Oceans that contain my name, { Dave or David Hamlin or any portion thereof, my "PRI" 075-544-946 or my badge number 3478.}

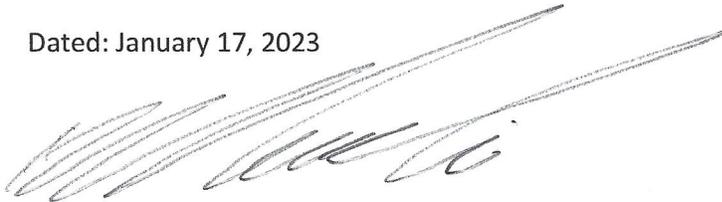
7) Any and all communications in the form of emails, notes, text messages, electronic and/or paper documents, data and meta-data from my assigned Field Trainer to my Supervisor, Senior Managers and the review board in relation to {Dave Hamlin}:

i) my evaluation(s);

ii) any direction(s), instruction(s), correction(s) or guidance I was provided;

iii) the outcomes of my evaluations and measurables that were given.

Dated: January 17, 2023



David Hamlin
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(604) 849-3482