

FEDERAL COURT

BETWEEN:

ATTORNEY GENERAL OF CANADA

-and-

ANIMAL JUSTICE CANADA and SOI DOG CANADA



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F I L E D	FEDERAL COURT COUR FÉDÉRALE		D E P O S É
	15-JUN-2023		
Ottawa, ONT		- 1 -	

Respondents

NOTICE OF APPLICATION

TO THE RESPONDENTS:

A PROCEEDING HAS BEEN COMMENCED by the applicant. The relief claimed by the applicant appears on the following page.

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 Ottawa, Ontario.

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 prepare a notice of appearance in Form 305 prescribed by the *Federal Court Rules* and serve it on the applicant's solicitor, or where 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 at Ottawa (telephone 613-992-4238) or at any local office.

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

June 15, 2023

Issued by: _____
(Registry Officer)

Address of local office:

Federal Court
90 Sparks Street, 5th Floor
Ottawa, ON K1A 0H9

TO: Cassidy Levy Kent (Canada) LLP
55 Metcalfe Street, Suite 1210
Ottawa, ON K1P 6L5

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Counsel for the Respondents

APPLICATION

This is an application for a determination of the objections to disclosure of certain information under s. 37 of the *Canada Evidence Act*, RSC 1985, c. C-5 in Court File Numbers T-2260-22, T-2261-22, and T-2262-22.

THE APPLICANT MAKES APPLICATION FOR:

1. An order pursuant to subsection 37(6) of the *Canada Evidence Act*, RSC 1985, c C-5, prohibiting disclosure of the information set out in Schedule “A” to the Certificate of Mary Jane Ireland, dated May 8, 2023 over which public interest immunity is claimed;
2. An order that there be no costs awarded on this application; and
3. Such further and other relief as this Honourable Court may deem just.

THE GROUNDS FOR THE APPLICATION ARE:

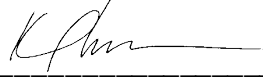
1. The Respondents to this Application are Applicants in three consolidated applications for judicial review, bearing Court File Numbers: T-2260-22, T-2261-22, and T-2262-22, all filed on October 27, 2022 (the “Consolidated Applications”);
2. In the Consolidated Applications, the Respondents to this Application requested materials pursuant to Rule 317 of the *Federal Courts Rules*;
3. On or about December 2, 2022, the Canadian Food Inspection Agency (“CFIA”) transmitted a certified copy of original material (“Certified Tribunal Record” or “CTR”) in response to the Rule 317 request;
4. Pursuant to Rule 318(2) of the *Federal Courts Rules*, the CFIA objected to producing certain information as part of the Certified Tribunal Record;

5. In six (6) documents in the CTR, the CFIA redacted information that was communicated to Canada in confidence by provincial or foreign government entities on the basis of public interest immunity (the “Redacted Information”);
6. The Redacted Information, if publicly disclosed, could harm the specified public interests in:
 - a. The CFIA’s relationships with partner foreign government entities;
 - b. Information sharing between CFIA and partner foreign government entities;
 - c. The CFIA’s relationships with provincial and territorial governments; and
 - d. Information sharing between CFIA and provincial and territorial governments;
7. The public interest in keeping the Redacted Information confidential outweighs the public interest in its disclosure;
8. *Canada Evidence Act*, RSC 1985, c C-5;
9. *Federal Courts Rules*, SOR/98-106; and
10. Such further and other grounds as counsel may advise and this Honourable Court may permit.

THE APPLICATION WILL BE SUPPORTED BY THE FOLLOWING MATERIAL:

1. The certificate of Mary Jane Ireland dated May 8, 2023;
2. The affidavit of Mary Jane Ireland, to be filed;
3. Such further and other material as counsel may advise and the Court may permit.

June 15, 2023



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