

FEDERAL COURT OF APPEAL COUR D'APPEL FÉDÉRALE	
MAR 15 2022	DÉPOSÉ
ERIN LIVINGSTONE	
VANCOUVER, BC	1

FEDERAL COURT OF APPEAL

A-59-22

BETWEEN:

MORRIS KLOS

Applicant

and

ATTORNEY GENERAL OF CANADA
(Deputy Head, Correctional Service of Canada)

Respondent

NOTICE OF APPLICATION
(Sections 18 and 28 of the Federal Courts Act)

TO THE RESPONDENT:

A PROCEEDING HAS BEEN COMMENCED by the Applicant. The relief claimed by the Applicant appears on the following pages.

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 Vancouver, British Columbia.

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 Courts 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 Courts Rules, information concerning the local officers 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, JUDGEMENT MAY BE GIVEN IN

YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU.

MAR 15 2022

(Date)

Issued by: _____


(Registry Officer)

**ERIN LIVINGSTONE
REGISTRY OFFICER
AGENT DU GREFFE**

Address of local office: Pacific Centre, 3rd Floor
701 West Georgia Street
Post Office Box 10065
Vancouver British Columbia
V7Y 1B6

Centre Pacific, 3^{ème} étage
701 rue Georgia ouest
C.P. 10065
Vancouver (Colombie-Britannique)
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TO:

1. ATTORNEY GENERAL OF CANADA

British Columbia Regional Office
Department of Justice Canada
900 - 840 Howe Street
Vancouver, British Columbia, Canada V6Z 2S9

Per: Andr anne Laurin
DOJ-TBS Labour Law Group
219 Laurier Ave. West – 6th fl
Ottawa ON K1A 0R5
Tel: (613) 769-7163

2. FEDERAL PUBLIC SECTOR LABOUR RELATIONS AND EMPLOYMENT BOARD

240 Sparks Street
6th Floor West
Ottawa, Ontario K1A 0A5

3. CORRECTIONAL SERVICE OF CANADA

Labour Relations and Compensation (in care of Attorney General of Canada)
Narano Building – 2nd Floor
340 Laurier Avenue West
Ottawa, Ontario K1A 0P9

4. TREASURY BOARD OF CANADA SECRETARIAT

Labour Relations Operations (in care of Attorney General of Canada)
L'Esplanade Laurier
140 O'Connor Street
East Tower – 14th Floor
Ottawa, Ontario K1A 0R5

**5. UNION OF CANADIAN CORRECTIONAL OFFICERS – SYNDICAT DES AGENTS
CORRECTIONNELS DU CANADA – CONFEDERATION DES SYNDICATS
NATIONAUX**

1601 Avenue De Lorimier
Montr al, Qu bec H2K 4M5

or 101 – 33711 Laurel Street
Abbotsford, British Columbia V2S 1X3

APPLICATION

2022 FOSLR 11
2022 03 03
56602-14185, 14700, 41704

THIS IS AN APPLICATION FOR JUDICIAL REVIEW IN RESPECT OF: a fatal adverse decision of a panel of the Public Sector Labour Relations and Employment Board Canada (the Board), In dismissing the matter, the Board gave direction no further submissions would be accepted by the Board without permission from the Board.

THE DECISION WAS COMMUNICATED TO THE APPLICANT ON: March 3, 2022.

THE APPLICANT MAKES APPLICATION FOR:

- a) set aside the order, refer it back and give directions
- d) interim order on the basis of medical orders and evidence

THE GROUNDS FOR THIS APPLICATION ARE:

- a) Federal Courts Act 18.1(4) and 18.2

THIS APPLICATION WILL BE SUPPORTED BY THE FOLLOWING MATERIAL:

- a) *Affidavit(s) of Morris Klos*
- b) Relevant material that was before the Board in respect of its decision; and,
- c) Such further and other material as the Court or the parties may advise.

THE APPLICANT REQUESTS pursuant to Rule 317 of the *Federal Court Rules* that the Board send a certified copy of the following material that is not in the possession of the Applicant but is in the possession of the Board to the Applicant and to the Registry:

- a) The full record of all material, including notes, in the possession of the Board at the time of its decision, dated March 3, 2022.

DATED at Vancouver, British Columbia, this 15th day of March 2022.



Morris Klos

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