FEDERAL COURT
COUR FÉDÉRALE
FILED
SEP - 2 2022
DÉPOSÉ
OTTAWA, ON

Court File No.
T-1792-22

FEDERAL COURT

BETWEEN:

KARINE BOLDUC

Applicant

and

THE QUEEN IN THE RIGHT OF CANADA (Chief of Defence Staff)

And

THE QUEEN IN THE RIGHT OF CANADA (Judge Advocate General)

Respondents

APPLICATION UNDER section 18.1 of the *Federal Courts Act*, RSC 1985, c. F-7

Notice of Application

TO THE RESPONDENTS:

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 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 file a notice of appearance in Form 305 prescribed by the *Federal Courts 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 Courts 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.

Issued by: (*Registry Officer*)

Address of local office:

90 sparks street
Ottawa On

TO:

CHIEF OF DEFENCE STAFF

c/o Deputy Attorney General of Canada
Office of the Deputy Attorney General of Canada
284 Wellington Street
Ottawa, Ontario
K1A 0H8

JUDGE ADVOCATE GENERAL

c/o Deputy Attorney General of Canada
Office of the Deputy Attorney General of Canada
284 Wellington Street
Ottawa, Ontario
K1A 0H8

APPLICATION

THIS IS AN APPLICATION FOR JUDICIAL REVIEW in respect of the Decisions dated 05 August 2022 made by the Chief of Staff of the Office of the Judge Advocate General of the Canadian Armed Forces that determined, by way of a situational assessment, that neither situation described in the Applicant's harassment complaint constituted harassment as defined by Defence Administrative Orders and Directive (DAOD) 5012-0.

THE APPLICANT MAKES APPLICATION FOR:

1. An order in the nature of *certiorari* quashing the Decisions that found that neither situation described the Applicant's harassment complaint constituted harassment as defined by Defence Administrative Orders and Directive (DAOD) 5012-0;
2. An order that the CAF, through an external independent firm, conducts a thorough harassment investigation of the matters in the Applicant's harassment complaint;
3. Costs of this Application;
4. Such further and other relief the Applicant may advise and the Court may permit.

THE GROUNDS FOR THE APPLICATION ARE:

Background

5. Ms. Karine Bolduc (the "Applicant") is a retired Canadian Armed Forces (CAF) member, having served in the Regular Force as a legal officer in the Office of the Judge Advocate General (OJAG) from 10 January 2018 to 03 July 2022. The Applicant retired at the rank of Major. The Applicant holds a Bachelors of Laws (LL.B.) and a Masters of Laws with a specialization in international law (LL.M.) from the Université du Québec à Montréal. She has been a member in good standing with the Barreau du Québec since 2009.

6. Prior to joining the CAF, the Applicant worked continuously as legal counsel with the Department of Justice Canada (DOJ). When she retired from the CAF in July 2022, the Applicant returned to the DOJ where she is working again as a legal counsel.

Events leading up to the Decision

7. On 01 April 2022, the Applicant filed a harassment complaint for abuse of authority against LCol Sara L. Collins (LCol Collins), who was the Applicant's supervisor in the legal office of the Canadian Joint Operations Command (CJOC) from September 2019 to August 2021. The harassment complaint arose out of LCol Collins' refusal to validate DOJ interview results for the Applicant, despite having agreed to do so, where the reasons behind her refusal were improper and resulted in an automatic loss of the competition for the Applicant.

8. The Applicant submitted her harassment complaint after attempting for over six months to resolve LCol Collins' refusal to participate with the help of her new supervisor, LCol Nadine Dery.

9. The events that gave rise to the harassment complaint for abuse of authority started in May 2021. At the time, the Applicant was seeking employment outside of the CAF because of a medical employment limitation, which permanently and unduly restricted her military service, and because of the inaction of superior officers to address repeated reports of toxic leadership and harassment.

10. On 22 June 2021, the Applicant had an interview with DOJ for a management position. A month later, at the request of the Human Resources Branch of the DOJ (HR Branch), the Applicant asked LCol Collins if she could validate the results of her interview because the HR Branch was seeking to speak to a recent manager who the Applicant had worked with for at least six months. The Applicant clearly explained to LCol Collins that this was not a "traditional reference" but a validation of the interview results against the Key Leadership Competencies expected of senior officials in the Federal Public Service.

11. In response to the Applicant's request, LCol Collins indicated that she would be pleased to speak with the HR Branch.

12. As indicated by the HR Branch in their written instructions to LCol Collins (and further explained through at least two subsequent phone conversations between them), the manager's validation was not a "traditional reference." LCol Collins was asked to "complete an assessment against the "Director" profile following the review of [an] assessment scale and assessment summary that indicate which effective behaviours the candidate did or did not demonstrate" during the interview.

13. It was not until several months later, in October 2021 (when the Applicant asked LCol Collins if she would be willing once again to validate a "Candidate Achievement Record" for another competition at the DOJ), that LCol Collins informed the Applicant that she did not "need to provide any information" (i.e. validate the interview results) for the July 2021 management competition. Her refusal to validate the interview results effectively put an end to the Applicant's chances of being successful in that DOJ management competition.

14. The Applicant sought an explanation from LCol Collins as to why she did that, but LCol Collins never responded to the Applicant. LCol Collins' lack of engagement at all – after confirming that she would participate – was bewildering. As LCol Collins refused to provide any explanation for her refusal to validate the interview results, the Applicant was required to seek this information via formal means. The Applicant thus accessed the email communications between LCol Collins and DOJ via a *Privacy Act* request.

15. The return from the *Privacy Act* request from the DOJ produced email responses demonstrating that the only reason LCol Collins refused to participate in the validation was because she was concerned with the Applicant seeing her "responses." LCol Collins told the HR Branch:

> "I understand that any comments I provide will be summarized and communicated to Ms. Bolduc as part of a debrief. I also understand that anything I

provide could be obtained through an access to information request. I am reluctant to provide specific feedback as a result of these two concerns. In the absence of greater certainty concerning confidentiality of my feedback, I will not comment on or challenge the results of [sic] preliminary assessment."

16. In her harassment complaint, the Applicant laid out detailed facts to demonstrate that LCol Collins had abused her authority **by improperly using her power and her authority to interfere with and/or influence the Applicant's career**. The Applicant even provided additional context as to why LCol Collins may have done that, specifically, in retaliation for the Applicant's participation with other officers in reporting to LCol Collins' superior that LCol Collins was a toxic leader.

17. The Applicant provided examples of previous inappropriate conduct of LCol Collins towards her, including a previous threat to retroactively amend her annual evaluation out of anger, as well as examples of her unethical conduct, for example, the fact that she was abusing working from home permissions during the pandemic by regularly working at her veterinarian clinic during office hours.

18. Therefore, it was the Applicant's contention that LCol Collins intended to harm the Applicant's DOJ candidacies in retaliation for reporting her to the CoC (which is also contrary to Queen's Regulations & Orders 19.15, "Prohibition of Reprisals"), but because the DOJ could not guarantee the absolute confidentiality of LCol Collins' feedback, she abstained from validating the interview results.

19. The Applicant also submitted information in her harassment complaint regarding demeaning and improper comments made by LCol Collins to a peer of the Applicant. The Applicant provided these comments to substantiate LCol Collins' previous conduct toward the Applicant. These comments were that LCol Collins would "dock the PER" of the Applicant (the PER is the CAF's Personnel Evaluation Record, the personal appraisal/yearly evaluation) and that the Applicant "lacked resilience" because the Applicant required medical leave due to toxic workplace conditions. These comments were not submitted as a separate harassment complaint, as they had previously been reported along with other inappropriate behaviours to Col Alexander Bolt, who was LCol Collins' supervisor.

The Decisions

20. This Application pertains to two decisions made by Col Robin Holman, the current OJAG Chief of Staff, in his capacity as the Responsible Officer (RO) for harassment complaints in the OJAG. Col Holman was also the Acting Judge Advocate General (JAG) at the time of the complaint submission and the Commanding Officer (CO) of both the Applicant and LCol Collins. As the CO, he was also responsible for processing the Applicant's release from the CAF.

21. The Applicant submitted one harassment complaint based on LCol Collins' improper conduct for her refusal, in bad faith, to validate her DOJ interview results. In addition to

the Situational Assessment (SA) for this complaint, the RO also conducted a SA based on the improper comments described in the complaint. As such, two separate SAs were completed.

22. In accordance with DAOD 5012-0, ROs are responsible for following the Harassment Prevention and Resolution Instructions, A-PM-007-000/FP-001 (27 January 2017) ("Instructions"). The Instructions (p. 15-16) provide a specific timeline for the initial review of a harassment complaint:

> The RO is responsible for "ensuring that the Situational Assessment (SA) is completed and sent to both the Complainant and Respondent within 14 calendar days following the receipt of the complaint. If the RO is unable to complete the SA within 14 calendar days, he or she must inform both the Complainant and Respondent of the delay and advise them of the new completion date. If after 21 calendar days of submitting the complaint, the complainant has not received any communication from the RO regarding the completion of the SA, he or she can advise the next level in the Chain of Command (CoC). The CoC may then decide to direct the RO to complete the SA or take any action deemed appropriate and IAW these Instructions."

23. In accordance with the Instructions, the outcome of a SA is whether the six harassment criteria are met, using the information received in the allegations from the Complainant. Where the criteria are met, an investigation would then follow (Instructions, p. 25).

24. The six harassment criteria are:
    i. improper conduct by an individual;
    ii. the individual knew or ought reasonably to have known that the conduct would cause offence or harm;
    iii. directed at another individual;
    iv. offensive to that individual;
    v. was a series of incidents, or one severe incident which had a lasting impact on that individual; and
    vi. occurred in the workplace.

25. The RO took more than four months to complete the SAs. The SAs, which constitute the Decisions, were provided to the Applicant by email on 05 August 2022, a full month after the Applicant had already released from the CAF.

26. The Decisions submitted for review include:
    i. Decision #1: That LCol Collins' conduct in refusing to validate competition results did not meet the definition of harassment; and
    ii. Decision #2: That LCol Collins' improper comments made to the Applicant's peer did not meet the definition of harassment.

27. The Applicant acknowledges that in accordance with the *Federal Court Act* (s. 302), there should be only one Judicial Review Application per Decision. However, because

the two Decisions are intrinsically linked and the relief sought is the same, the Applicant respectfully asks the Court that both Decisions proceed under this one Application.

The Decisions were unreasonable, *ultra vires* and made in bad faith

28. Decision #1 is unreasonable for the following reasons:
    a) The RO mischaracterized the nature of the alleged conduct;
    b) The RO failed to consider relevant evidence;
    c) The conduct meets the definition for "abuse of authority," which is defined by the DAOD as a form of harassment;
    d) Failing to recognize the conduct as "improper" is inconsistent with the RO's response actions.

29. Decision #2 is unreasonable for the following reasons:
    a) The RO failed to consider relevant evidence;
    b) The RO determination failed to consider the impact of these comments in a military command relationship.

30. The Decisions made were *ultra vires* for the following reasons:
    a) The SAs were not completed by the RO;
    b) There is no evidence that the RO was otherwise precluded from conducting the SAs.

31. The Decisions were made in bad faith for the following reasons:
    a) The RO knowingly failed to complete the assessments in a reasonable timeframe;
    b) The delay caused by the RO resulted in the Applicant's loss of her statutory right to submit a grievance;
    c) The delay caused improper use of judicial resources;
    d) The Decisions improperly categorizes the conduct as workplace conflict.

Decision #1 is unreasonable

32. The RO determined that LCol Collins' conduct in refusing to validate the Applicant's competition results did not meet the first criteria for harassment, namely that it was not "improper conduct." However, the Applicant asserts that refusal based on bad faith is indeed improper conduct.

33. First, the RO mischaracterized the nature of the alleged conduct. The alleged improper conduct was that LCol Collins acted in bad faith by not providing the validation. LCol Collins acted in bad faith because she was unwilling to disclose to the Applicant her concerns about the Applicant's performance, and she was unwilling to participate in the validation exercise without confidentiality.

34. There was no need for confidentiality. The CAF requires an open evaluation process. The purpose of the CAF annual performance evaluation report (PER) is to "develop CAF personnel through constructive feedback and to accurately assess the level of demonstrated performance and potential for career administration purposes" (Canadian

Forces Personnel Appraisal System (CFPAS), section 101). There was no need for confidentiality if LCol Collins intended to provide truthful feedback that was consistent with written and verbal feedback previously provided to the Applicant, or feedback consistent with that provided to her new supervisor if it related to performance since the last evaluation. However, LCol Dery was not aware of any "issues," either.

35. Similarly, for the second DOJ competition that required a manager's validation, LCol Collins advised the Applicant that her validation would include the Applicant's "remarkable achievements" but also "areas of concern" and "issues" that "cannot be ignored." When the Applicant requested clarification on what "areas of concern" were being referred to, none was provided. LCol Collins refused to provide any truthful substantiation to the Applicant, even though the chain of command was involved.

36. If indeed there were issues so significant as to implicate the Applicant's suitability for employment, this would have been incorporated in her PER (which includes 17 comprehensive assessment points covering technical competencies, communication skills, ethics and values as well as leadership) or provided in a PDR (where constructive feedback is documented between PERs) or provided to her new supervisor for inclusion in her next evaluation. None was provided. It is improper to hold a subordinate accountable for matters that are not disclosed to the subordinate, and further improper to then intend to use that non-disclosed information to prevent them from a fair employment competition.

37. These "issues" and "areas of concern" remain undisclosed to the Applicant. Considering that LCol Collins had previously threatened to retroactively amend the Applicant's annual evaluation in anger and had criticized her "resilience" in a toxic workplace, the Applicant contends that LCol Collins intended to punish her by submitting biased, inaccurate and untruthful information to DOJ. This is the only reasonable reason why confidentiality would have mattered.

38. Second, the RO failed to consider relevant evidence. The Applicant provided ample evidence that LCol Collins intended to provide false representation and the RO did not consider this evidence.

39. Third, the conduct meets the definition for "abuse of authority." Abuse of authority is defined by DAOD 5012-0 as "taking advantage of a position of authority to [...] interfere with or influence the career of an individual." LCol Collins had the power to provide open and consistent feedback to DOJ. LCol Collins had nothing to hide yet she was unwilling to provide input where input would be disclosed to the Applicant. The Applicant recognizes that LCol Collins could have fairly provided negative feedback to DOJ. The matter is that she acted with intention to cause harm by refusing to act where she could not be guaranteed anonymity.

40. Moreover, LCol Collins knew, given the instructions provided by the HR Branch, that there were no other military supervisors who could provide the validation for the Applicant. Even then, the HR Branch clearly indicated that LCol Collins could inform

them if she was unwilling or unable to provide the validation. However, LCol Collins abstained. LCol Collins knew of the likely outcome for the Applicant and thus, improperly exercised her authority to interfere and influence the career of the Applicant. If she were acting in good faith, she would have referred the matter to another officer.

41. Fourth, failing to recognize the conduct as "improper" is inconsistent with the RO's response actions, which included ordering LCol Collins to receive harassment training and leadership training. Indeed, there would be no need for harassment or leadership training if LCol Collins' conduct had been proper.

The Decision on Complaint #2 is unreasonable

42. The RO determined that comments made by LCol Collins to the Applicant's peer (another subordinate of LCol Collins) met all the criteria for harassment, including "improper conduct" except for the fifth criterion: that the improper conduct "was a series of incidents, or one severe incident which had a lasting impact on that individual."

43. First, the Applicant is grateful for the diligence by senior leadership in now recognizing these comments as improper and worthy of consideration, even though previously reported and dismissed. However, the Applicant respectfully disagrees with the conclusion of the RO.

44. The RO failed to consider relevant evidence. The Applicant acknowledges that the RO found that the conduct was improper based on the limited information provided by the Applicant, but the fifth criteria was not fully assessed. Likely, this occurred because the comments were not raised as a separate harassment complaint by the Applicant and therefore the Applicant did not address each of the harassment criteria in her main complaint. Rather, the examples of verbal remarks were provided to substantiate allegations that LCol Collins held ulterior motives for her behaviour concerning the DOJ competition.

45. The Applicant and other CAF officers had previously reported inappropriate behaviours by LCol Collins (which included the comments made to the Applicant's peer that are the subject of Decision #2) to LCol Collins' immediate superior, Col Alexander Bolt. However, no actions were taken. As the comments made to the Applicant's peer had been previously reported, the Applicant did not raise the allegations again as the OJAG CoC was already aware.

46. However, where the remarks were considered by the RO to justify a separate SA, the RO was reasonably required to ensure to have all the relevant facts before making an assessment. As no harassment complaint was filed about these comments, the RO failed to request – and therefore consider – relevant evidence. The Applicant would have been pleased to provide additional context, particularly considering her appreciation that the CoC now considered them of sufficient importance to address. However, the Applicant did not know to provide information to substantiate this criterion.

47. This fifth criterion can be substantiated in accordance with the Instructions. First, the RO failed to consider the impact of these comments in a military command relationship. Indeed, the six criteria for harassment are not unique to the CAF. Therefore, CAF-specific impacts must be considered. This includes lost of trust, which is critical in the CAF due to the power imbalance between superior and subordinate, and where the superior holds incredible power over the subordinate that extends beyond the day-to-day workplace (for example, the influence over posting a CAF member which has significant personal, family and financial consequences). The Applicant lost trust in the CoC over these comments, which were not even spoken to the Applicant but to her peer. The Applicant could not know what else LCol Collins had said behind her back, to whom, and could not defend herself and her reputation as a subordinate.

48. In considering this criterion, the Instructions also provide:

> It is also important to note that a single incident may be viewed to be more significant in circumstances when the parties' relationship at work is one where the respondent has influence or power over the complainant with regard to career advancement, performance review, work assignment, and when the incident(s) leads to adverse job related consequences for the complainant.

49. This is exactly what happened: there is a correlation between LCol Collins' refusal to provide transparent assessments to DOJ about the Applicant's performance and the improper comments, particularly her threat to retroactively amend her performance assessment (PER). LCol Collins had influence and power over the complainant with regard to career advancement, performance review, work assignment, and the incident likely led to adverse job related consequences for the complainant.

The Decisions made were *ultra vires*

50. First, in accordance with the Instructions, only the RO can complete the SA and the Instructions explicitly forbid delegation of this task by the RO. However, on 30 June 2022 (the Applicant's last day of service in the CAF), the Applicant's supervisor, LCol Dery, informed her that the Deputy JAG for Administrative Law, Col Marla J. Dow, had read the harassment complaint and that she would be conducting the SA on behalf of the RO, contrary to the Instructions.

51. Second, there is no evidence that the RO was otherwise precluded from conducting the SA such as that it would need to be considered by another officer, for example because of a conflict of interest or recognition of bias. If so, this information should have been communicated to the Applicant. For these reasons, the Decisions are *ultra vires* as the SA was not completed by the RO as directed by the Instructions.

The Decisions were made in bad faith

52. In this situation, the decision-maker (the RO) is sophisticated. The RO is an experienced lawyer who advises on the very policy he failed to follow.

53. First, the Decisions were made in bad faith because the RO failed to complete the assessment in a reasonable timeframe. In accordance with the Instructions, the SA must be completed within 14 days. If that is not possible, the RO must advise the complainant. If a complainant has not received a response within 21 days, they may escalate the matter up the CoC (see para. 55).

54. In this case, the harassment complaint was filed on 01 April 2022. The RO advised the Applicant on 27 April 2022 that he would not meet the timeline, and didn't anticipate being able to complete the SA before 30 May. The Applicant did not hear further until 05 August 2022 when he produced his Decisions, after she had already released from the CAF.

55. Not only did the RO take over four months to complete the SAs (compared to the mandated 14 days), the Applicant had no recourse if the deadline was unsatisfactory because contrary to other CAF members, the Applicant had no ability to elevate the matter (in accordance with the Instructions) to the next level in the CoC as the JAG is independent IAW QR&O 4.081. Moreover, Col Holman, the decision-maker, is also Acting JAG, and therefore he is the same person that the lack of decision would be elevated to. There is no other officer to whom the matter could have been escalated, which permits abuse of the mandated timeline.

56. The RO had no *bona fide* employment-related reason for the delay. The SA was not provided to the Applicant until four months after it was filed, after the Applicant had eventually submitted a grievance for lack of decision on the SA (on 15 June 2022), and after she had later released from the CAF.

57. The Applicant submitted her request for expedited release from the CAF on 22 March 2022 and it was processed by the same decision-maker, i.e. the RO, who is the Applicant's CO. The RO knew the importance of a timely SA, based on the mandatory timelines and on the Applicant's impending release. As the Applicant's CO, Col Holman was also aware that one reason she was seeking an expedited release from the CAF was inaction by the CoC on matters of toxic leadership and abuse of authority. The RO then abused the timelines himself, delaying a response until the Applicant's release was complete.

58. Where a harassment investigation is initiated, the DND/CAF require that a RO finalize a decision on whether harassment occurred within six months of receiving the initial complaint. Here, it took four months just to complete the SA, never mind a potential investigation. This expedient mandated timeline reflects the priority of addressing harassment in the CAF and recognizes "the detrimental effect a complaint has on a unit" (Instructions, para. 6.6, p. 39). Although the RO was aware of this effect, he still chose to

ignore the timelines. This effect is further exacerbated by the RO's own written comments to the Applicant, in the body of the email when he sent her his Decisions, in which he recognizes that the delay was personally costly to her.

59. Second, the delay caused by the RO resulted in loss of the Applicant's statutory right to grieve the decision made, as she was not provided with the Decisions until after she released from the CAF. As a lawyer, the decision-maker was aware of this consequence (and was aware of her impending release as the CO) and the importance of a CAF member's right to grieve.

60. Third, the delay caused by the RO results in an improper use of judicial resources. Indeed, because the Applicant lost her right to grieve the substantive decision due to the delay by the decision-maker, the only option for relief is the submission of an Application for Judicial Review, which would usually only be available after a CAF member exercised their right to grieve. This is an improper and unnecessary use of judicial resources for a matter that could and should have been resolved within the CAF.

61. Finally, the Decisions contains an improper categorization of the conduct as workplace conflict. While there is no definition of "workplace conflict" in the DAODs or the Instructions, workplace conflict is generally described as "disagreements between colleagues" attributed to "opposing interests, personalities, beliefs, or ideas" or "poor communication" with joint responsibility for the problem and the solution.

62. In Decision #1, characterization of the issue as "workplace conflict" is inappropriate where a supervisor acts unilaterally in bad faith. This characterization is akin to victim-shaming. Contrary to the SA, the issue was not in relation to a disagreement about work scheduling, etc. The Applicant raised a concern about abuse of authority in how LCol Collins improperly interfered with her career. The Applicant did not contribute in any way to LCol Collins' unethical intentions or actions, nor can the Applicant contribute to any form of resolution, as any dishonest behaviour lies solely with LCol Collins.

63. In Decision #2, characterization of improper comments from a supervisor to the Applicant's peer cannot be downgraded to workplace conflict. The Applicant was not even involved in the incidents; the comments were made behind her back and were deemed by the RO as improper. Again, the Applicant did not contribute to LCol Collins' behaviour nor can she contribute to resolution as the fault lies solely with LCol Collins. This is not a matter of disagreement or miscommunication.

64. In summary, characterization of these particular complaints as workplace conflict is inappropriate because it dismisses the power imbalance inherent in these actions, particularly where a supervisor acts unilaterally. The Applicant has no power to influence the behavior of LCol Collins.

65. As a result of the fact that the Decisions were unreasonable, *ultra vires* and made in bad faith, there is no other reasonable outcome than to quash the Decisions and to order that

the CAF, through an external independent firm, conducts a thorough harassment investigation of the matters in the Applicant's harassment complaint.

66. This application is based on:

a) The *National Defence Act*, RSC 1985, c. N-5
b) The *Queen's Regulations and Orders for the Canadian Forces*;
c) The *Defence Administrative Orders and Directives*;
d) The *Harassment Prevention and Resolution Instructions*, A-PM-007-000/FP-001
e) The Canadian Forces Personnel Appraisal System.

THIS APPLICATION WILL BE SUPPORTED BY THE FOLLOWING MATERIAL:

a) The Harassment Complaint and References, dated 01 April 2022;
b) The Request for Voluntary Release from Service, dated 22 March 2022;
c) The Decisions and Cover Email, dated 05 August 2022;
d) The Affidavit of Karine Bolduc to be sworn in support of the within Application and the exhibits thereto; and
e) Such further and other material as this Honourable Court may permit.

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

I. The full record of all material which was before the Respondent the Judge Advocate General, or formed part of its files, at the time of the Decisions, including all documents, memoranda, reports, emails, notes and other communications considered, prepared and/or collected in the preparation of the Decisions;
II. Without limiting the generality of the foregoing, any documents relevant to the adjudication of the Applicant's request.

02 September 2022

Bolduc, Karine

Digitally signed by Bolduc, Karine
DN: C=CA, O=GC, OU=Jus-Jus, CN="Bolduc, Karine"
Reason: I am the author of this document
Location: your signing location here
Date: 2022.09.02 10:29:55-04'00'
Foxit PhantomPDF Version: 10.1.1

Karine Bolduc, self-represented
558 Dickinson Ave
Ottawa, ON, K1V 7J4
613-261-5544
karine.bolduc@yahoo.com