

Court File No. A-149-22

FEDERAL COURT OF APPEAL

BETWEEN

DALE KOHLENBERG

FEDERAL COURT OF APPEAL COUR D'APPEL FÉDÉRALE	
F I L E D	14-JUL-2022 Robert M'vondo
SASKATOON, SK	-1-

Appellant

and

ATTORNEY GENERAL OF CANADA

Respondent

NOTICE OF APPEAL

TO THE RESPONDENT:

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

THIS APPEAL 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 the hearing will be as requested by the Appellant. The Appellant requests that this appeal be heard at Saskatoon, Saskatchewan.

IF YOU WISH TO OPPOSE THIS APPEAL, to receive notice of any step in the appeal or to be served with any documents in the appeal, you or a solicitor acting for you must prepare a Notice of Appearance in Form 341 prescribed by the Federal Courts Rules and serve it on the Appellant's solicitor or, where the Appellant is self-represented, on the Appellant, within 10 days of being served with this Notice of Appeal.

IF YOU INTEND TO SEEK A DIFFERENT DISPOSITION of the Order appealed from, you must serve and file a notice of cross-appeal in Form 341 prescribed by the *Federal Courts Rules* instead of serving and filing a notice of appearance.

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) 996-6795 or at any local office.

IF YOU FAIL TO OPPOSE THIS APPEAL, Judgment may be given in your absence and without further notice to you.

JUL 14 2022

Date: July _____, 2020

Issued by:

ORIGINAL SIGNED BY
ROBERT M'VONDO
REGISTRY OFFICER
(Registry Officer)

Address of Local Office:

Saskatoon Local Office
520 Spadina Crescent East
Saskatoon, Saskatchewan
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Winnipeg Local Office
Suite 400, 4th Floor
363 Broadway Street
Winnipeg, Manitoba
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TO: ATTORNEY GENERAL OF CANADA
284 Wellington Street
Ottawa, Ontario
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APPEAL

The Appellant appeals to the Federal Court of Appeal from the Order and Decision of the Honourable Mr. Justice Simon Fothergill of the Federal Court dated June 15, 2022, (2022 FC 906) in which the Application for Judicial Review in Federal Court proceeding T-966-21 was dismissed.

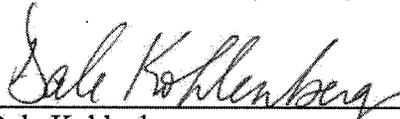
THE APPELLANT ASKS that:

1. the Decision and Order of the Federal Court below be overturned;
2. this Honourable Court issue an order and decision directing the Respondent to re-hear the Applicant's Defamation Grievance;
3. this Honourable Court provide directions to the Respondent on the proper application of the law pertaining to the timeliness of grievances within the Respondent's grievance process and on the proper application of the law of defamation;
4. An Order as to costs in this proceeding and in the Court below; and
5. such further and other orders or relief as the Appellant may request and this Honourable Court may consider appropriate.

THE GROUNDS OF APPEAL are as follows:

- (a) the learned judge erred in law by failing to consider and to apply section 63 of the *Federal Public Sector Labour Relations Regulations*;
- (b) the learned judge erred in law by accepting that the defamation defences of justification and qualified privilege were available.

Dated at Saskatoon, Saskatchewan, this 7th day of July, 2022.



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