

THE FEDERAL COURT OF APPEAL

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FEDERAL COURT OF APPEAL COUR D'APPEL FÉDÉRALE	
F I L E D	13-MAR-2023
Justin Wong	
TORONTO, ON	1

ANNA FEDORENKO

Applicant

And

**THE ATTORNEY GENERAL
OF CANADA**

Respondent

Anna Fedorenko
913 – 210 Simcoe St
Toronto, ON M5T 0A9
Tel: (647) 913-3589
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FORM 301 Rule 301
Notice of Application

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 *(place where Federal Court of Appeal (or Federal Court) ordinarily sits)*.

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.

(Date)

13-MAR-2023

"Abigail Grimes"
Issued by: *(Registry Officer)*

Address of local office:

TO: The Attorney General of Canada
AGC_PGC_TORONTO.LEAD-DCECJ@JUSTICE.GC.CA

180 Queen Street West
Suite 200
Toronto, Ontario
M5V 3L6

Other people to be served:

Canada Border Services Agency (CBSA)

Representative: Ms. Cassandra Ianni-Lucio

cassandra.ianni-lucio@cbsa-asfc.gc.ca / (343) 571-8236

Application

(Where the application is an application for judicial review)

This is an application for judicial review in respect of Canada Agricultural Review Tribunal (CART).

Details: Fedorenko v Canada Border Services Agency, 2023 CART 04

Decision Date: January 17, 2023

Date first communicated: January 17, 2023

Order: I find that Ms. Fedorenko contravened section 16(1) of the HA Act as outlined in the Notice and must pay the penalty of \$1300 to the Agency within 90 days of this decision.

The applicant makes application for: I would like to ask the Federal Court of Appeal to cancel the Tribunal's decision, as well as the Notice of Violation numbered 4971-22-0055 issued by the Agency and set aside the penalty of \$1,300 as I did not contravene section 16(1) of the HA Act.

The grounds for the application are: In making its decision, the Tribunal made a legal error when concluded that the Agency had legally accused me of violating section 16(1) of the HA Act. I will support my evidence by the Section 16(1) of the HA Act, Section 12(1) of the Customs Act, and Section 40 of the Regulations.

This application will be supported by the following material: Affidavit of Supporting Documents, Affidavit of Case Analysis, Video Recording of the Oral Hearing (before the Tribunal).

February 15, 2023



(Anna Fedorenko)

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