

FEDERAL COURT OF APPEAL COUR D'APPEL FÉDÉRALE	
F	December 22, 2023
I	le 22 décembre, 2023
L	
E	
D	Ginette Lischenski
VANCOUVER, BC	1

Attorney General of Canada

A-358-23

Respondent

ID : 1

Linda Bartlett

Attorney General of Canada

P.O. Box 36

Department of Justice Canada

Barriere, British Columbia

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Gatineau, QC K1A 0J9

Appellant

Respondent

NOTICE OF APPEAL

TO THE RESPONDENT:

A LEGAL PROCEEDING HAS BEEN COMMENCED AGAINST YOU by the appellant. The relief claimed by the appellant appears below.

THIS APPEAL will be heard by the Court at a time and place to be fixed by the Judicial Administrator. Unless the Court directs otherwise, the place of hearing will be as requested by the appellant. The appellant requests that this appeal be heard at Kamloops, British Columbia.

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 341A prescribed by the Federal Courts Rules and serve it on the appellant, who is self-represented, **WITHIN 10 DAYS** after 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 341B 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 613-992-4238) 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.

December 22, 2023

Issued by: Ginette Lischenski
Registry Officer
P.O. Box 10065, 3rd Floor
701 West Georgia Street
Vancouver, BC B7Y 1B6

Address of local office: 701 West Georgia Street, 3rd Floor

Vancouver, British Columbia V7Y 1B6

To: Attorney General of Canada

#900 840 Howe Street

Vancouver, B.C. V6Z 2S9

Appeal

THE APPELLANT APPEALS to the Federal Court of Appeal from the judgment of the Honourable Mr. Justice Lafreniere dated December 6, 2023 (the "Judgment") dismissing the Appellant's application for judicial review of the decision of the Appeal Division of the Social Security Tribunal made on March 22, 2023 (the "Decision") under section 18.1 of the Federal Court Act, RSC 1985, c F-7, in Federal Court File No. T-863-23

THE APPELLANT ASKS that:

1. That the Appeal be allowed and the Judgment be set aside.
2. The Decision be quashed .
3. Remit the matter to the "Minister" for reconsideration under Section 66.4 of the Canada Pension Act.
4. Such further and other relief as this Honourable Court may permit.


THE GROUNDS OF APPEAL are as follows:

1. This dispute with the "Minister" is about the errors in calculating my CPP Retirement Pension under rule 66.4 of the Canada Pension Act.
2. R. Geit(Geib), Cathy Erb and Andrew Williamson made errors when calculating my CPP Retirement Pension.
3. The Social Security Tribunal General Division, the Social Security Tribunal Appeal Division and the Federal Court erred in fact and law, by allowing the average of 3 year maximum pensionable earning to be used when my CPP Retirement Pension was calculated.
4. The SST General Division erred in fact and law by allowing Andrew Williamson's Affidavit when the Commissioner of Oath's signature was missing.

5. The SST Division erred in fact and by stating that I relied on a disability lawyer on the radio, who used a 5 year average CPP pension earnings to calculate my pension. I got this 5 year average CPP pension earning from the CPP Act 1985, because my CPP Pension was calculated after 1998.

6. The Federal Court, SST General Division and SST Appeal Division erred in fact and law when they relied on the CPI calculation by Andrew Williamson which are not consistent with Canada Pension.

December 19, 2023



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