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F I L E D	FEDERAL COURT COUR FÉDÉRALE  May 04, 2023 04 mai 2023	D É P O S É
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**FORM 301 Rule 301  
Notice of Application**

**APPLICATION**

**Court File No.**

**FEDERAL COURT**

**BETWEEN**

**SEAN McALLISTER  
Applicant**

**and**

**E. THISTLE  
CANADA EMERGENCY BENEFITS VALIDATION  
CANADA REVENUE AGENCY**

APPLICATION UNDER s. 18.1 of the Federal Courts Act, R.S.C. 1985, c. F-7.

**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 Brantford, Ontario or, if Brantford is not possible, Toronto, 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.

May 2, 2023

Issued by: *(Registry Officer)*

Address of local office:

TO: Canada Revenue Agency; COVID19 Benefits Validation

Sudbury Tax Centre  
Post Office Box 20000, Station A  
Sudbury ON P3A 5C1

*(Separate page)*

## Application

This is an application for judicial review in respect of

Canada Emergency Benefits Validation

On April 12, 2023, I received a notice through the CRA website that, after 2 reviews, said I was not eligible to have received the COVID19 benefits (CERB and CRB) and would now have to pay this back. I have proven twice that I met the income eligibility through my self employment and I was never given any reason why they came to this decision. This decision was made on April 12th, I believe, and communicated to me the same day.

The applicant makes application for: Decision reversed

The grounds for the application are: I have proven through two different reviews that I made enough self employment income to qualify for the Emergency benefits (CERB and CRB) and will continue to show that.

This application will be supported by the following material: While I don't have receipts or invoices for my business from that time, I do have detailed bank statements that show the self employment income going in to my account as well as letters from clients stating that those monies were fo exactly that.

May 2, 2023

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[SOR/2021-151, s. 22](#)