

Federal Court of Appeal



Cour d'appel fédérale

Date: 20151124

Docket: A-111-15

Citation: 2015 FCA 262

**CORAM: GAUTHIER J.A.
BOIVIN J.A.
DE MONTIGNY J.A.**

BETWEEN:

PIERRE FAUTEUX

Applicant

and

ATTORNEY GENERAL OF CANADA

Respondent

Heard at Montréal, Quebec, on November 24, 2015.

Judgment delivered from the Bench at Montréal, Quebec, on November 24, 2015.

REASONS FOR JUDGMENT OF THE COURT BY:

BOIVIN J.A.

Federal Court of Appeal



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REASONS FOR JUDGMENT OF THE COURT
(Delivered from the Bench at Montréal, Quebec, on November 24, 2015.)

BOIVIN J.A.

[1] We are all of the opinion that there is no reason to intervene.

[2] We are not satisfied that the Chairperson of the Canada Agricultural Review Tribunal (Tribunal) erred in the exercise of his discretion in case management when deciding that it was

preferable to decide the preliminary argument raised by the applicant during the hearing on the merits before the Tribunal.

[3] More specifically, the application for judicial review filed by the applicant seeks an interlocutory decision, and there are no exceptional circumstances in the case at hand that would give rise to a judicial review while the administrative process is still ongoing (*C.B. Powell Limited v. Canada (Border Services Agency)*, 2010 FCA 61, [2011] 2 F.C.R. 332, at paragraph 33).

[4] The application for judicial review will therefore be dismissed, without costs.

“Richard Boivin”

J.A.

Certified true translation
François Brunet, revisor

FEDERAL COURT OF APPEAL

SOLICITORS OF RECORD

DOCKET: A-111-15

(APPEAL FROM A JUDGMENT OF CHAIRPERSON DON BUCKINGHAM OF THE CANADA AGRICULTURAL REVIEW TRIBUNAL DATED FEBRUARY 18, 2015, DOCKET NO. PV(ACIA)1213QC0169-1, CART/CRAC-1780.)

STYLE OF CAUSE: PIERRE FAUTEUX v.
ATTORNEY GENERAL OF
CANADA

PLACE OF HEARING: MONTRÉAL, QUEBEC

DATE OF HEARING: NOVEMBER 24, 2015

REASONS FOR JUDGMENT OF THE COURT BY: GAUTHIER J.A.
BOIVIN J.A.
DE MONTIGNY J.A.

DELIVERED FROM THE BENCH BY: BOIVIN J.A.

APPEARANCES:

Vincent Lamontagne FOR THE APPLICANT

Dominique Guimond FOR THE RESPONDENT
Laurent Brisebois

SOLICITORS OF RECORD:

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