

**Federal Court of Appeal**



**Cour d'appel fédérale**

**Date: 20030220**

**Docket: A-78-02**

**Neutral Citation: 2003 FCA 96**

**CORAM: DESJARDINS J.A.  
DÉCARY J.A.  
LÉTOURNEAU J.A.**

**BETWEEN:**

**ATTORNEY GENERAL OF CANADA**

Applicant

- and -

**JASMIN MARCOUX**

Respondent

Hearing held at Toronto, Ontario, Thursday, February 20, 2003.

Judgment delivered from the bench at Toronto, Ontario, Thursday, February 20, 2003.

**REASONS FOR JUDGMENT OF THE COURT:**

**DESJARDINS J.A.**

Federal Court of Appeal



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**REASONS FOR JUDGMENT OF THE COURT**

(Pronounced from the bench at the hearing at Toronto, Ontario,  
Thursday, February 20, 2003.)

**DESJARDINS J.A.**

[1] We are of the opinion that the umpire did not commit any error that would warrant our intervention. It was open to the board of referees, on the evidence, to decide that the respondent did not hold an employment during the periods in dispute.

[2] The application for judicial review will be dismissed. The defendant will be entitled to a sum of \$150.00 as disbursements.

"Alice Desjardins"

Judge

Certified true translation

Suzanne M. Gauthier, C. Tr., L.L.L.

**FEDERAL COURT OF CANADA**  
**APPEAL DIVISION**

**NAMES OF COUNSEL AND SOLICITORS OF RECORD**

**FILE NO:** A-78-02

**STYLE:** ATTORNEY GENERAL OF CANADA

- and -

JASMIN MARCOUX

**PLACE OF HEARING:** TORONTO, ONTARIO

**DATE OF HEARING:** THURSDAY, FEBRUARY 20, 2003

**REASONS FOR JUDGMENT  
OF THE COURT:** DESJARDINS J.A.

**DATE OF REASONS:** THURSDAY, FEBRUARY 20, 2003

**DELIVERED FROM THE BENCH AT THE HEARING AT TORONTO, ONTARIO,  
THURSDAY, FEBRUARY 20, 2003.**

**APPEARANCES:**

Derek Edwards for the applicant

Jasmin Marcoux for the respondent  
(representing himself)

**SOLICITORS OF RECORD:**

Morris Rosenberg for the applicant  
Deputy Attorney General of Canada

Jasmin Marcoux for the respondent  
North Bay, Ontario