

Date: 20090113

Docket: A-192-08

Citation: 2009 FCA 3

**CORAM: DÉCARY J.A.
NOËL J.A.
BLAIS J.A.**

BETWEEN:

MUSTAPHA MEZIANI

Applicant

and

ATTORNEY GENERAL OF CANADA

Respondent

Hearing held at Montréal, Quebec, on January 13, 2009.

Judgment delivered from the Bench at Montréal, Quebec, on January 13, 2009.

REASONS FOR JUDGMENT OF THE COURT BY:

DÉCARY J.A.

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DÉCARY J.A.

[1] The applicant cited the discovery of new facts to ask an umpire to reconsider a decision relating to him (section 120 of the *Employment Insurance Act*).

[2] The Umpire concluded that the alleged facts were not new. There is no reviewable error of fact or law in that conclusion.

[3] The application for judicial review will be dismissed with costs.

“Robert Décary”

J.A.

Certified true translation
Johanna Kratz

FEDERAL COURT OF APPEAL

SOLICITORS OF RECORD

DOCKET: A-192-08

(APPLICATION FOR JUDICIAL REVIEW OF THE DECISION OF UMPIRE MAURICE E. LAGACÉ DATED NOVEMBER 21, 2007, FILE NO. CUB 65978C)

STYLE OF CAUSE: MUSTAPHA MEZIANI v.
ATTORNEY GENERAL OF
CANADA

PLACE OF HEARING: Montréal, Quebec

DATE OF HEARING: January 13, 2009

REASONS FOR JUDGMENT OF THE COURT BY: DÉCARY J.A.
NOËL J.A.
BLAIS J.A.

DELIVERED FROM THE BENCH BY: DÉCARY J.A.

APPEARANCES:

Mustapha Meziani
Montréal, Quebec

FOR THE APPLICANT
(for himself)

Pauline Leroux

FOR THE RESPONDENT

SOLICITORS OF RECORD:

John H. Sims, Q.C.
Deputy Attorney General of Canada

FOR THE RESPONDENT