

**CANADIAN HUMAN RIGHTS TRIBUNAL TRIBUNAL CANADIEN DES
DROITS DE LA PERSONNE**

MICHELINE MONTREUIL

Complainant

- and -

CANADIAN HUMAN RIGHTS COMMISSION

Commission

- and -

CANADIAN FORCES

Respondent

RULING

MEMBER: Karen A. Jensen 2006 CHRT 44
2006/10/16

[1] On Friday, October 13, 2006, the Tribunal received a request for an adjournment from the Complainant and the Commission in the present case. The reason for the request was that the Respondent had disclosed, on October 12, 2006, five volumes of documents. Counsel for the Commission and the Complainant vigorously objected to the late disclosure of such a large quantity of documents and stated that they would be unable to properly prepare their cases as a result. The Complainant asked that the hearing be postponed until December 4, 2006 and that new dates for the continuation of the hearing be fixed in 2007.

[2] The Respondent objected to the request for the adjournment, stating that many of the documents were known to the parties and that they were exaggerating the amount of work that was required to review the documents.

[3] This request is yet another in a series of pre-hearing requests made by the parties. As the Tribunal decided in previous rulings on disclosure in this case, the present request by the Commission and the Complainant is best left to the Member or Panel hearing the merits of the case. At that time, it may be clearer as to which documents the Respondent intends to rely upon, which documents are truly "new" in that they have not previously been disclosed, and which documents, if any, must be reviewed by the experts.

[4] If prejudice is established, it may be that Rule 9(3) of the Tribunal's *Rules of Procedure* will apply. It may also be that the Tribunal will be able to find practical ways

to accommodate the parties' concerns. These determinations are better left to the member or the panel hearing the merits of the case.

"Signed by"

Karen A. Jensen

OTTAWA, Ontario

October 16, 2006

PARTIES OF RECORD

TRIBUNAL FILE:	T1047/2805
STYLE OF CAUSE:	Micheline Montreuil v. Canadian Forces
RULING OF THE TRIBUNAL DATED:	October 16, 2006
APPEARANCES:	
Micheline Montreuil	For herself
Ikram Warsame	For the Canadian Human Rights Commission
Guy Lamb / Pauline Leroux	For the Respondent