

[6] There is another issue, however. Ms. Cameron acts for the Respondent. She has confirmed that the Respondent is seeking a review of my earlier ruling that the Tribunal has the power to award costs. As it turns out, the same question is presently before the Federal Court in another case. Ms. Cameron says that the situation is uncertain. She is uncomfortable with the idea that the Complainant would attempt to execute a formal order while my authority to issue it is under attack.

[7] I agree with the Respondent that it would be better to see what the Court rules before the Complainant tries to execute the order. Having said this, I have come to the conclusion that this aspect of the matter is out of my hands. It seems to me that Mr. Bagambiire is right in saying that I have an obligation to follow my own ruling, and remain steadfast, until such time as the Federal Court rules otherwise. I would be changing my mind if I refused the order.

[8] The order will accordingly issue.

"Signed by"
Dr. Paul Groarke

OTTAWA, Ontario

August 31, 2005

PARTIES OF RECORD

TRIBUNAL FILE:	T838/8803
STYLE OF CAUSE:	Cecil Brooks v. Department of Fisheries and Oceans
DATE AND PLACE OF HEARING:	March 10-11, 2005 Ottawa, Ontario
RULING OF THE TRIBUNAL DATED:	August 31, 2005
APPEARANCES:	
Davies Bagambiire Stephen Flaherty	For the Complainant
Scott McCrossin Melissa Cameron	For the Respondent