

Date: 20091207

Docket: A-8-09

Citation: 2009 FCA 359

**CORAM: SEXTON J.A.
EVANS J.A.
SHARLOW J.A.**

BETWEEN:

**REVEREND EDWIN PEARSON, REVEREND MICHEL ETHIER,
and JAMES ROSCOE HOAD**

Appellants

and

**HER MAJESTY THE QUEEN
As represented by THE MINISTER OF JUSTICE OF CANADA, THE ATTORNEY
GENERAL OF CANADA, and THE SOLICITOR GENERAL OF CANADA**

Respondents

Heard at Toronto, Ontario, on December 7, 2009.

Judgment delivered from the Bench at Toronto, Ontario, on December 7, 2009.

REASONS FOR JUDGMENT OF THE COURT BY:

SHARLOW J.A.

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**REASONS FOR JUDGMENT OF THE COURT
(Delivered from the Bench at Toronto, Ontario, on December 7, 2009)**

SHARLOW J.A.

[1] This is an appeal of the Judgment of Justice Hughes (2008 FC 1367) dismissing an appeal of the order of Prothonotary Aalto (2008 FC 1161) striking the Appellants' statement of claim without leave to amend. We have not been persuaded that Justice Hughes' decision is wrong in law or that

Justice Hughes made any error warranting the intervention of this Court. For that reason, this appeal will be dismissed with costs.

“K. Sharlow”

J.A.

FEDERAL COURT OF APPEAL

NAMES OF COUNSEL AND SOLICITORS OF RECORD

DOCKET: A-8-09

**(AN APPEAL FROM THE ORDER OF THE HONOURABLE MR. JUSTICE HUGHES,
DATED DECEMBER 11, 2008, FROM THE FEDERAL COURT FILE NO.: T-1430-07)**

STYLE OF CAUSE: REVEREND EDWIN PEARSON
ET. AL. v. HER MAJESTY THE
QUEEN ET. AL.

PLACE OF HEARING: TORONTO, ONTARIO

DATE OF HEARING: DECEMBER 7, 2009

**REASONS FOR JUDGMENT OF
THE COURT BY:** (SEXTON, EVANS & SHARLOW
JJ.A.)

DELIVERED FROM THE BENCH BY: SHARLOW J.A.

APPEARANCES:

Charles Roach FOR THE APPELLANTS

James Gorham FOR THE RESPONDENTS
Susan Keenan

SOLICITORS OF RECORD:

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