

Federal Court of
Appeal



Cour d'appel
fédérale

Date: 20100319

Docket: A-334-09

Citation: 2010 FCA 77

Present: NOËL J.A.

BETWEEN:

**CHRISTIAN BOMONGO,
PATRICK KENABANTU,
TARIK LAASSEL**

Applicants

and

**COMMUNICATIONS, ENERGY AND
PAPERWORKERS UNION OF CANADA**

and

BELL CANADA

Respondents

Dealt with in writing without appearance of parties.

Order delivered at Ottawa, Ontario, on March 19, 2010.

REASONS FOR ORDER BY:

NOËL J.A.

Federal Court of
Appeal



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REASONS FOR ORDER

[1] The applicants are requesting leave to file three additional affidavits under section 312 of the *Federal Courts Rules*.

[2] The request is out of time, since proceedings have reached the request for hearing stage, and the motion provides no explanation whatsoever of why the affidavits were not filed within the time prescribed by Rule 306 of the *Federal Courts Rules*.

[3] Furthermore, the affidavits do not comply with Rule 81 of the *Federal Courts Rules* in that they essentially take the form of an argument, and none of the attached exhibits are part of the record as constituted before the Canada Industrial Relations Board.

[4] In the circumstances, leave to file should not be granted.

[5] The motion is dismissed with costs.

“Marc Noël”

J.A.

Certified true translation
Sarah Burns

FEDERAL COURT OF APPEAL

NAMES OF COUNSEL AND SOLICITORS OF RECORD

DOCKET: A-334-09

STYLE OF CAUSE: CHRISTIAN BOMONGO,
PATRICK KENABANTU, TARIK
LAASSEL and
COMMUNICATIONS, ENERGY
AND PAPERWORKERS UNION
OF CANADA AND BELL
CANADA

MOTION DEALT WITH IN WRITING WITHOUT APPEARANCE OF PARTIES

REASONS FOR ORDER BY: NOËL J.A.

DATED: March 19, 2010

WRITTEN REPRESENTATIONS BY:

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Tarik Laassel

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SELF-REPRESENTED
SELF-REPRESENTED

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