

Federal Court  
of Appeal



Cour d'appel  
fédérale

**Date: 20111117**

**Docket: A-380-10**

**Citation: 2011 FCA 325**

**CORAM: NOËL J.A.  
TRUDEL J.A.  
MAINVILLE J.A.**

**BETWEEN:**

**THERESA COLLINS**

**Applicant**

**and**

**ATTORNEY GENERAL OF CANADA**

**Respondent**

Heard at St. John's, Newfoundland and Labrador, on November 17, 2011.

Judgment delivered from the Bench at St. John's, Newfoundland and Labrador,  
on November 17, 2011.

**REASONS FOR JUDGMENT OF THE COURT BY:**

**MAINVILLE J.A.**

Federal Court  
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**REASONS FOR JUDGMENT OF THE COURT**  
**(Delivered from the Bench at St. John's, Newfoundland and Labrador,  
on November 17, 2011)**

**MAINVILLE J.A.**

[1] Notwithstanding the able arguments of Mrs. Picco, we have not been persuaded that the Board committed an error of fact in assessing the evidence such as to render the decision unreasonable.

[2] This application will accordingly be dismissed, but without costs as none were sought.

"Robert M. Mainville"

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J.A.

**FEDERAL COURT OF APPEAL**

**NAMES OF COUNSEL AND SOLICITORS OF RECORD**

**DOCKET:** A-380-10

**(APPLICATION FOR JUDICIAL REVIEW IN RESPECT OF A DECISION OF THE PENSION APPEALS TRIBUNAL DATED AUGUST 24, 2010 AND A SUBSEQUENT ORDER OF THE PENSION APPEALS BOARD (CANADA PENSION PLAN) DATED AUGUST 24, 2010.)**

**STYLE OF CAUSE:** THERESA COLLINS v.  
ATTORNEY GENERAL OF  
CANADA

**PLACE OF HEARING:** St. John's, Newfoundland and  
Labrador

**DATE OF HEARING:** NOVEMBER 17, 2011

**REASONS FOR JUDGMENT OF THE COURT BY:** NOËL J.A.  
TRUDEL J.A.  
MAINVILLE J.A.

**DELIVERED FROM THE BENCH BY:** MAINVILLE J.A.

**APPEARANCES:**

Cindy E. Picco FOR THE APPLICANT

Carmelle Salomon-Labbé FOR THE RESPONDENT

**SOLICITORS OF RECORD:**

MacBeath & Associates,  
Marystown, NL FOR THE APPLICANT

Miles J. Kirvan,  
Deputy Attorney General of Canada FOR THE RESPONDENT