

Federal Court of Appeal



Cour d'appel fédérale

Date: 20130507

Docket: A-315-12

Citation: 2013 FCA 125

**CORAM: NOËL J.A.
NADON J.A.
PELLETIER J.A.**

BETWEEN:

THE ATTORNEY GENERAL OF CANADA

Applicant

and

CLAUDETTE RAYMOND

Respondent

Heard at Montréal, Quebec, on May 7, 2013.

Judgement delivered from the bench at Montréal, Quebec, on May 7, 2013.

REASONS FOR JUDGMENT OF THE COURT BY:

NOËL J.A.

Federal Court of Appeal



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REASONS FOR JUDGMENT OF THE COURT
(Delivered from the bench at Montréal, Quebec, on May 7, 2013)

NOËL J.A.

[1] Notwithstanding Mr. Deschênes's excellent arguments, we have been unable to find any error that would justify this Court's intervention.

[2] Given the wording of the settlement and the fact that none of the proceedings abandoned by the claimant would have given rise to an allocable payment had they been successful, it was open to the Umpire, and the Board of Referees before him, to find that the amount received by

the claimant was not allocable under the *Employment Insurance Regulations*, SOR/96-332, even in the absence of a breakdown.

[3] The application for judicial review will be dismissed with costs.

“Marc Noël”

J.A.

Certified true translation
Erich Klein

FEDERAL COURT OF APPEAL

SOLICITORS OF RECORD

DOCKET: A-315-12

STYLE OF CAUSE: The Attorney General of Canada v.
Claudette Raymond

PLACE OF HEARING: Montréal, Quebec

DATE OF HEARING: May 7, 2013

REASONS FOR JUDGMENT OF THE COURT BY: NOËL J.A.
NADON J.A.
PELLETIER J.A.

DELIVERED FROM THE BENCH BY: NOËL J.A.

APPEARANCES:

Véronique Forest
Paul Deschênes

FOR THE APPLICANT

Hans Marotte

FOR THE RESPONDENT

SOLICITORS OF RECORD:

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FOR THE RESPONDENT