

Federal Court of Appeal



Cour d'appel fédérale

Date: 20141015

Docket: A-436-13

Citation: 2014 FCA 232

**CORAM: NADON J.A.
GAUTHIER J.A.
WEBB J.A.**

BETWEEN:

**EDWARD ANDREW DENNIS, HAROLD
BELL, NATHAN VICTOR MACKLIN AND
IAN LORNE MACCREARY**

Appellants

and

**HER MAJESTY THE QUEEN IN THE RIGHT
OF CANADA, AS REPRESENTED BY THE
ATTORNEY GENERAL OF CANADA, HER
MAJESTY THE QUEEN IN THE RIGHT OF
CANADA, AS REPRESENTED BY THE
MINISTER OF AGRICULTURE AND
AGRIFOOD AND THE CANADIAN WHEAT
BOARD**

Respondents

Heard at Ottawa, Ontario, on October 15, 2014.
Judgment delivered from the Bench at Ottawa, Ontario, on October 15, 2014.

REASONS FOR JUDGMENT OF THE COURT BY:

NADON J.A.

Federal Court of Appeal



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Respondents

**REASONS FOR JUDGMENT OF THE COURT
(Delivered from the Bench at Ottawa, Ontario, on October 15, 2014).**

NADON J.A.

[1] Despite Mr. Shrybman's forceful submissions, we are of the view, substantially for the reasons given by Madam Justice Tremblay-Lamer in her decision of November 29, 2013, that the appellants' claims for expropriation and breach of trust, the only claims pursued by the appellants in their appeal, should be struck.

[2] As concerns the cross-appeal, we have not been persuaded that we should interfere with the judge's conclusion that the mismanagement claims should not be struck.

[3] For these reasons, the appeal and the cross-appeal will be dismissed with costs.

"M Nadon"

J.A.

FEDERAL COURT OF APPEAL

NAMES OF COUNSEL AND SOLICITORS OF RECORD

DOCKET: A-436-13

STYLE OF CAUSE: EDWARD ANDREW DENNIS,
HAROLD BELL, NATHAN
VICTOR MACKLIN AND IAN
LORNE MACCREARY v. HER
MAJESTY THE QUEEN IN THE
RIGHT OF CANADA, AS
REPRESENTED BY THE
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PLACE OF HEARING: Ottawa, Ontario

DATE OF HEARING: OCTOBER 15, 2014

REASONS FOR JUDGMENT OF THE COURT BY: NADON J.A.
GAUTHIER J.A.
WEBB J.A.

DELIVERED FROM THE BENCH BY: NADON J.A.

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