



Department of Justice  
Canada

Ontario Regional Office  
The Exchange Tower  
130 King St. West  
Suite 3400, Box 36  
Toronto, Ontario  
M5X 1K6

Ministère de la Justice  
Canada

Bureau régional de l'Ontario  
la tour Exchange  
130 rue King ouest  
Pièce 3400, CP 36  
Toronto (Ontario)  
M5X 1K6

Tel: (416) 954-0625  
Fax: (416) 952-0298  
Email: Kathryn.Hucal@justice.gc.ca

Our File: 2-571054-1  
Notre dossier:

Your File:  
Votre dossier:

September 22, 2010

**VIA FACSIMILE**

Laura C. Young and Martin J. Doane  
DOANE & YOUNG LLP  
36 Lombard Street, Suite 700  
Toronto, Ontario  
M5C 2X3

Ian Roland  
PALIARE ROLAND ROSENBERG  
ROTHSTEIN LLP  
Barristers  
250 University Avenue, Suite 501  
Toronto, Ontario  
M5H 3E5

James R.K. Duggan  
625 Rene-Levesque Boulevard West  
Suite 805  
Montréal, Québec  
H3B 1R2

Brad Elberg and Kelly Henriques  
Heenan Blaikie LLP  
Bay Adelaide Centre  
333 Bay Street, Suite 2900  
Toronto, Ontario  
M5H 2T4

Dear Counsel:

**Re: Mounted Police Association of Ontario et al. v. A.G.C.**

Please find enclosed a Notice of Appeal dated September 22, 2010, which is being served upon you pursuant to the *Rules of Civil Procedure*.

Yours truly,

Kathryn Hucal  
Senior Counsel  
Regulatory Law Division

KH:ag

Enclosure

Canada

Court File No.

**COURT OF APPEAL FOR ONTARIO**

**BETWEEN:**

**MOUNTED POLICE ASSOCIATION OF ONTARIO/ASSOCIATION DE LA  
POLICE MONTEE DE L'ONTARIO AND BC MOUNTED POLICE  
PROFESSIONAL ASSOCIATION ON THEIR OWN BEHALF AND ON BEHALF  
OF ALL MEMBERS OF THE ROYAL CANADIAN MOUNTED POLICE**

Applicants (Respondents in appeal)

and

**THE ATTORNEY GENERAL OF CANADA**

Respondent (Appellant)

**NOTICE OF APPEAL**

THE Respondent/Appellant, the Attorney General of Canada APPEALS to the Court of Appeal from the judgment of Justice MacDonnell dated August 25, 2010 made at Toronto.

THE Respondent/Appellant ASKS that the judgment be set aside and judgment be granted as follows: the extension of time of the suspension is granted effective Oct. 6, 2010, until April 15, 2011 and the award of costs is set aside.

THE GROUNDS OF APPEAL are as follows:

1. The Ontario Superior Court erred in determining it was without jurisdiction to grant the relief sought;
2. The Superior Court erred in not applying the test for an extension of time in dismissing the motion;
3. The Superior Court further erred in not granting the extension of time as Canada met the test and
4. Such further grounds as counsel may advise and this Honourable Court may permit.

**THE BASIS OF THE COURT OF APPEAL'S JURISDICTION IS:**

- i) This is an appeal from a final order of a judge of the Superior Court of Justice;
- ii) Leave to appeal is not required for this appeal;
- iii) Paragraph 6(1)(b) of the *Courts of Justice Act*, R.S.O. 1990, c. C.43;
- iv) Rule 61.04 of the *Rules of Civil Procedure*, R.R.O. 1990, Reg. 194;
- v) Such further and other grounds as counsel may advise and this Honourable Court permit.

Date: September 22, 2010

Department of Justice  
The Exchange Tower  
130 King Street West  
P.O. Box 36, Suite 3400  
Toronto, Ontario  
M5X 1K6

Per: Kathryn Hucal  
Tel: (416) 954-0625  
Fax: (416) 952-4518  
E-mail: khucal@justice.gc.ca

Counsel for the Appellant,  
The Attorney General for Canada

- 3 -

TO: DOANE & YOUNG LLP  
700 – 36 Lombard St.  
Toronto, Ontario  
M5C 2X3

Laura C. Young/Martin J. Doane  
Tel: (416) 366-4298  
Fax: (416) 361-0130  
E-mail:  
laura.young@dylaw.ca/martin.doane@bylaw.ca

Counsel for the Respondents on Appeal,  
Mounted Police Association of Ontario *et al.*

AND TO: PALIARE ROLAND ROSENBERG  
ROTHSTEIN LLP  
Barristers  
250 University Avenue, Suite 501  
Toronto, Ontario M5H 3E5

Ian Roland  
Tel: (416) 646-4300  
Fax: (416) 646-4301  
E-mail: ian.roland@paliareroland.com

Counsel for the Intervener,  
Canadian Police Association

AND TO: James R.K. Duggan  
625 Rene-Levesque Boulevard West  
Suite 805  
Montreal, Quebec H3B 1R2

Tel: (514) 879-1459  
Fax: (514) 879-5648  
E-mail: jduggan@jdugganavocat.ca

Counsel for the Intervener,  
Association des Membres de la Police Montée du  
Quebec Inc.

