

IN THE FEDERAL COURT OF CANADA  
TRIAL DIVISION

B E T W E E N:

DEBORAH COYNE

Plaintiff

- and -

HER MAJESTY THE QUEEN, THE GOVERNOR GENERAL  
OF CANADA, THE ATTORNEY GENERAL OF CANADA,  
and THE ATTORNEY GENERAL OF NEW BRUNSWICK

Defendants

NOTICE OF MOTION

Take notice that the Attorney General of New Brunswick will make a Motion to the Court on a special date to be fixed by the Court, at the Supreme Court Building, Kent and Wellington Streets, Ottawa, Ontario.

The motion is for:

- (a) An order pursuant to Rule 401 granting leave to the Attorney General of New Brunswick to file a conditional appearance for the purpose of objecting to the jurisdiction of the Court; and
- (b) In the alternative, an order pursuant to sub-Rules 419(1)(a) and (f) striking out the Statement of Claim without leave to amend and dismissing this action with costs.

The grounds of the motion are that:

- (a) The sole basis on which this action is founded is the Constitution Act, 1982 and the Federal Court Act does

not confer jurisdiction on this Court to entertain such proceedings.

- (b) The Statement of Claim discloses no reasonable cause of action in this Court as against the Defendants.
- (c) The Plaintiff does not have the required standing to initiate this action.
- (d) The Statement of Claim is an abuse of the process of the Court.

The following documentary evidence will be presented:

- (a) The Statement of Claim in this action filed on the 15th day of February 1993.

DATED at the City of Fredericton, New Brunswick, this 16th day of March 1993.

I HEREBY CERTIFY that the above document is a true copy of the original filed of record in the Registry of The Federal Court of Canada the 16 day of March 19 93  
Je CERTIFIE que le document ci-dessus est une copie conforme à l'original produit au dossier au Greffe de la Cour Fédérale du Canada le 16 jour de mar 19 93  
Dated this 16 day of mar 19 93  
Daté ce 16 jour de mar 19 93

  
GERALD PARLEE  
REGISTRY OFFICER  
AGENT DU GREFFE



Paul M. LeBreton, Q.C.  
Deputy Attorney General of  
New Brunswick

Per: Bruce Judah  
Anne Richard  
Department of Justice  
Legal Services  
P.O. Box 6000  
Fredericton, N.B.  
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(506)453-2043

of Counsel, for the Attorney General of  
New Brunswick, Defendant

Court File No. T-381-93

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Deputy Attorney General  
of New Brunswick  
Per: Bruce Judah  
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of Counsel, for the Attorney General of New  
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