

CANADA / JUDGMENT

Lavigne v. Canada Post Corporation

2004 FC 350

COURT

Federal Court

DECIDED

8 March 2004

Source: decisions.fct-cf.gc.ca · Research copy typeset by Esheria. Not court-issued or certified.

Lavigne v. Canada Post Corporation Court (s) Database Federal Court Decisions Date 2004-03-08 Neutral citation 2004 FC 350 File numbers T-872-02 Decision Content Date: 20040308 Docket: T-872-02 Citation: 2004 FC 350 In the Matter of an action pursuant to s. 17(1), (2)(b) & 48 of the Federal Court Act, arising from a complaint pursuant to s. 29(1)(a) of the Privacy Act., R.S., 1985, c. P-21, against Canada Post Corporation for contravening s. 7 of the Privacy Act; In the Matter of an action pursuant to s. 17(1), (2)(b) & 48 of the Federal Court Act arising from the illegality of parts of the Collective Agreement signed by Canada Post Corporation on February 28, 2000, contravening article 5.01 regarding the age discrimination provisions, of said Collective Agreement; In the Matter of an action pursuant to s. 17(1), (2)(b) & 48 of the Federal Court Act arising from the illegal of parts of the Collective Agreement signed by Canada Post Corporation on February 28, 2000, contravening s. 15 of the Canadian Charter of Rights and Freedoms; In the Matter of an action pursuant to s. 17(1), 17(2)(d) & 48 of the Federal Court Act arising from the contravening s. 7 of the Privacy Act by Canada Post Corporation and therefore contravening sections 3(a) & 10 of the Crown Liability and Proceedings Act S.C. 1990,

c. 8, s. 21, by Canada Post Corporation; BETWEEN: ROBERT LAVIGNE Plaintiff and CANADA POST CORPORATION Defendant ASSESSMENT OF COSTS - REASONS MICHELLE LAMY, ASSESSMENT OFFICER

[1] On August 14, 2002, Mr. Richard Morneau, Prothonotary, ordered that the Plaintiff's statement of claim be struck out with costs on the basis that the Federal Court lacked jurisdiction to hear this action. In appeal, Madam Justice Tremblay-Lamer maintained the Prothonotary's order. On June 3, 2003, the Court of Appeal dismissed with costs the appeal of the Federal Court judge's decision. The assessment of costs proceeded without the personal appearance of the parties. As of this date, Mr. Robert Lavigne has not filed any written representations.

- [2] The Defendant's fees for the preparation and hearing of its motion to strike the Plaintiff's action are allowed as follows: 5 units (item 5) and 2 units X 2 hours (item 6). Items 13 and 14 are designed to compensate services rendered in regard to trials. The request under item 7 is denied since no discovery of documents pursuant to Rule 223 of the Federal Court Rules 1998 took place. The various expenses in the amount of \$ 35.75 are allowed as claimed. The Defendant's costs incurred in this file are taxed and allowed in the amount of \$ 1,025.75.
- [3] In the Federal Court of Appeal, the Respondent's bill is assessed as submitted in the amount of \$ 1,649.65. A copy of these reasons is placed in file A-596-02. DATED AT MONTREAL, THIS 8TH DAY OF MARCH, 2004. Signed: « Michelle Lamy » MICHELLE LAMY ASSESSMENT OFFICER FEDERAL COURT NAMES OF COUNSEL AND SOLICITORS OF RECORD COURT FILE NO.: T-872-02 STYLE OF CAUSE: BETWEEN: ROBERT LAVIGNE Plaintiff and CANADA POST CORPORATION Defendant ASSESSMENT IN WRITING WITHOUT PERSONAL APPEARANCE OF PARTIES PLACE OF TAXATION: Montreal, Quebec ASSESSMENT OF COSTS - REASONS BY: MICHELLE LAMY, ASSESSMENT OFFICER DATE OF REASONS: MARCH 8, 2004 SOLICITORS OF RECORD: Jodoin Santerre Montreal, Quebec for the Defendant

Source & reproduction note

Judgment wording, source notices and original paragraph numbers are retained. Esheria supplies the layout and this PDF's page numbers; these are not the source pagination. This is a research copy, not an official or certified court document. Check quotations, citations and publication restrictions against the original source before relying on it.

ORIGINAL SOURCE <https://decisions.fct-cf.gc.ca/fc-cf/decisions/en/item/45484/index.do>

CASE PAGE <https://chat.esheria.ai/case-law/canada/lavigne-v-canada-post-corporation-2004>

Prepared on 28 October 2026 · Esheria