



Department of Justice
Canada

Ministère de la Justice
Canada

National Litigation Sector
Civil Litigation Section
50 O'Connor Street, Suite 500
Ottawa, Ontario K1A 0H8

Telephone: (613) 601-4805
Fax: (613) 954-1920
Email: Lorne.Ptack@justice.gc.ca

FILED WITH NOTICE OF APPEAL, COPY TO COUNSEL BY EMAIL

August 11 2025

Our File Number: LEX-500221779

Judicial Administrator
Federal Court of Appeal
90 Sparks Street
Ottawa, Ontario K1A 0H9

Re: Joanne Powless v Attorney General of Canada
Federal Court File No.: T-3332-24
Notice of Appeal filed August 11 2025
Request for Direction / Case Management Conference

Dear Administrator:

I write in respect of Federal Court file T-3332-24 *Joanne Powless v The Attorney General of Canada*. A Notice of Appeal in respect of the Federal Court's July 10, 2025 Decision in this matter, quashing a November 28, 2024 decision by Indigenous Services Canada to deny a Jordan's Principle request made by the Respondent and remitting the matter for redetermination, has been filed with the Federal Court of Appeal with this letter.

The matters addressed below are time-sensitive, in that they address the Respondent (Applicant in T-3332-24) and her two First Nations grandchildren with respiratory conditions living in on-reserve housing that has been compromised by mould, the swiftly approaching winter, and the resulting shortening time remaining in the building and repair season. Therefore, we would be grateful if this letter were brought to the attention of the Federal Court of Appeal at the Registry's earliest convenience.

Counsel for the Respondent have received a copy of this letter by email and reviewed and agreed to its contents prior to filing.

The parties have conferred ahead of the filing of the Notice of Appeal and, having regard for the *Rules*, and the Consolidated Practice Direction of June 26 2025, request the Court of Appeal's Direction on the following:

Canada

1. Timing – The parties are in agreement in respect of expediting this appeal to a hearing. In order to best plan procedural steps, and in particular the dates for service and filing of the Appellant’s and Respondent’s Memoranda of Fact and Law, it would be of great assistance for the parties to know what dates may be available for a full day hearing of the Appeal;
2. Stay of the July 10 2025 Decision – The parties have reached agreement whereby the Respondent will consent to a Motion, by the Appellant, for a stay of the July 10 2025 Decision, if it pleases the Court of Appeal to grant the requested relief. It would be of assistance to the parties to know whether an informal motion may be brought by the Appellant, on consent, or otherwise how the Court of Appeal may prefer to receive the motion, having regard for the expedited timeline being requested above;
3. Case Management – The parties suggest that the most efficient way forward to address the above and any further issues, or concerns the Court of Appeal may have, is by way of a Case Management Conference, to be held as soon as the Court of Appeal may be able to schedule one.

We thank the Court of Appeal in advance for its assistance in moving this matter forward expeditiously. Should the Court of Appeal require any further information, we would be pleased to make ourselves available.

Yours truly,



Lorne Ptack, Senior Counsel
Loujain El Sahli, Counsel
Sheldon Leung, Counsel

For the Attorney General of Canada

c.c. David Taylor
Siobhan Morris
Counsel for the Respondent (Applicant in T-3332-24)