

FEDERAL COURT OF APPEAL

BETWEEN

ATTORNEY GENERAL OF CANADA

Appellant

-and-

**PICTOU LANDING BAND COUNCIL
and MAURINA BEADLE**

Respondents



NOTICE OF APPEAL

TO THE RESPONDENTS:

A LEGAL PROCEEDING HAS BEEN COMMENCED AGAINST YOU by the appellant. The relief claimed by the appellant appears on the following pages.

THIS APPEAL will be heard by the Court at a time and place to be fixed by the Judicial Administrator. Unless the Court directs otherwise, the place of hearing will be as requested by the appellant. The appellant requests that this appeal be heard at Halifax, Nova Scotia.

IF YOU WISH TO OPPOSE THIS APPEAL, to receive notice of any step in the appeal or to be served with any documents in the appeal, you or a solicitor acting for you must prepare a notice of appearance in Form 341 prescribed by the *Federal Courts Rules* and serve it on the appellant's solicitor, or where the appellant is self-represented, on the appellant, **WITHIN 10 DAYS** of being served with this notice of appeal.

IF YOU INTEND TO SEEK A DIFFERENT DISPOSITION of the order appealed from, you must serve and file a notice of cross-appeal in Form 341 prescribed by the *Federal Courts Rules* instead of serving and filing a notice of appearance.

Copies of the *Federal Courts Rules* information concerning the local offices of the Court and other necessary information may be obtained on request to the Administrator of this Court at Ottawa (telephone 613-992-4238) or at any local office.

**IF YOU FAIL TO OPPOSE THIS APPEAL, JUDGMENT MAY BE GIVEN
IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU.**

May 16th, 2013

Issued by:


(Registry Officer)

Elizabeth Caverly
Director - Directrice

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Counsel for the Respondents

APPEAL

THE APPELLANT APPEALS to the Federal Court of Appeal from the Judgment of Mr. Justice Mandamin, dated April 4, 2013, granting the Applicant's application for judicial review in file T-1045-11 and quashing the decision of the Manager, Social Programs, Aboriginal Affairs and Northern Development Canada, dated May 27, 2011.


THE APPELLANT ASKS that the appeal be allowed, with costs in this Court and the Court below, and that the Judgment be set aside.

THE GROUNDS OF APPEAL are as follows:

1. The applications judge erred in the interpretation and application of Jordan's Principle;
2. The applications judge erred in finding the decision of May 27, 2011 was unreasonable;
3. The applications judge erred in the remedy granted to the respondents; and
4. Such further and other grounds as counsel may advise and this Honourable Court may permit.

DATED at Halifax, Nova Scotia, this 6th day of May, 2013.

William F. Pentney
Deputy Attorney General of Canada


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