

COURT OF APPEAL FOR THE YUKON TERRITORY

ORAL REASONS FOR JUDGMENT:

CORAM: The Honourable Madam Justice Rowles
The Honourable Mr. Justice Hall
The Honourable Mr. Justice Veale

BETWEEN:

FRANCIS MAZHERO

Appellant

AND:

PUBLIC SERVICE COMMISSION, DEPARTMENT
OF EDUCATION, DEPARTMENT OF JUSTICE,
PUBLIC SERVICE ALLIANCE OF CANADA,
YUKON EMPLOYEES' UNION, YUKON TEACHERS'
ASSOCIATION, YUKON TEACHERS' STAFF RELATIONS
BOARD, YUKON PUBLIC SERVICE STAFF RELATIONS BOARD,
OMBUDSMAN & INFORMATION AND PRIVACY COMMISSIONER,
AUSTRING FENDRICK FAIRMAN & PARKKARI,
PRESTON LACKOWICZ & SHIER AND
STAN N.E. LANYON Q.C.

Respondents

R. GRANT MACDONALD, Q.C.
DEBRA L. FENDRICK

Appearing for the Respondents

REASONS FOR JUDGMENT

[1] ROWLES J.A. (Oral): Well in respect to both of those
appeals, essentially your submissions are the same as they were in respect to the
first two applications.

[2] MR. MACDONALD: Essentially, My Lady, although I should have to concede that on the second appeal, Mr. Mazhero was actually in time in filing the notice of appeal, and in filing the appeal books. But he has not filed a factum. He purported to file one, but it was rejected.

[3] ROWLES J.A.: This is the one in which he sent an un-filed copy of the factum and the registrar rejected it.

[4] MR. MACDONALD: That is correct, My Lady.

[5] ROWLES J.A.: I am satisfied then that the appeal should be dismissed for failure to comply with the rules.

ROWLES J. A.