

**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

IN THE MATTER OF THE *ACCESS TO INFORMATION AND PROTECTION  
OF PRIVACY ACT, S.Y. 1995 C.1*

BETWEEN:

FRANCIS MAZHERO

Appellant

AND:

INFORMATION AND PRIVACY COMMISSIONER OF  
YUKON TERRITORY, DEPARTMENT OF EDUCATION  
AND PUBLIC SERVICE COMMISSION

Respondents

AND:

ALBERTA LAWYERS INSURANCE ASSOCIATION, PUBLIC  
SERVICE ALLIANCE OF CANADA, YUKON EMPLOYEES UNION,  
YUKON HUMAN RIGHTS COMMISSION and YUKON  
TEACHERS' ASSOCIATION

Third Parties

NO ONE APPEARING

For the appellant

R. GRANT MACDONALD, Q.C.

Appearing for the Respondents

DEBRA FENDRICK

Appearing for the Third Parties

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**REASONS FOR JUDGMENT**

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[1] ROWLES J.A.(Oral): It appears to me that is an obvious failure to comply with the rules. It is apparent that there has been no response from Mr. Mazhero. The order was made that permitted substituted served and it has brought forth no response. So it seems to me that in respect of this application that it ought to be granted.

[2] MR. MACDONALD: Thank you, My Lady.

[3] ROWLES J. A.: Now, I take it that your application is similar and is essentially based on the same set of circumstances.

[4] MS. FENDRICK: It is, My Lady. I would echo Mr. Macdonald's submissions today.

[5] ROWLES J. A.: Yes, I am satisfied that that appeal as against your client should also would be dismissed for failure to comply with the rules.

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ROWLES J.A.