

NOTICE OF APPEAL

A-\_\_\_\_\_ (T-1006-25)

FEDERAL COURT OF APPEAL

BETWEEN:

**JACQUELINE SANDERSON,**

Appellant

and

ATTORNEY GENERAL OF CANADA,

**CANADIAN JUDICIAL COUNCIL**

AND

**The Honourable Justice Azimuddin Hussain**

Respondents

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**NOTICE OF APPEAL UNDER RULE 337 OF THE *FEDERAL COURT RULES*  
AND SECTION 27 OF THE *FEDERAL COURTS ACT***

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TO THE RESPONDENTS:

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

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 Regina, Saskatchewan, Canada.

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 solicitor of the appellant, 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 4, 2026

Issued by:

Registry of the Federal Court of Appeal  
2425 Victoria Avenue  
Regina SK S4P 4W6

*Jacqueline Sanderson*

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## **APPEAL**

**THE APPELLANT APPEALS** to the Federal Court of Appeal from the judgment of the Honourable Justice Duchesne dated the 23<sup>rd</sup> day of April, 2026 (the “**Judgment**”) by which the Federal Court case management Judge refused to allow the Appellant to file her exhibits in the court record.

**THE APPELLANT ASKS** that the decision of the Court of first instance be quashed and that the exhibits of the Appellant be filed in the court record. The Appellant further requests that the present appeal be heard with the previous appeal filed by the Appellant on March 19, 2026 in file number A-173-26.

**THE GROUNDS OF APPEAL** are as follows:

### **Ground 1: Improper Refusal of Affidavit and Exhibits**

Justice Duchesne erred in law and in the exercise of discretion by refusing to admit the Appellant’s affidavit and supporting exhibits on the basis that the Appellant had not amended her Notice of Application, even though the Order of February 19, 2026 merely authorized, but did not require, such amendment.

Rule 75 of the Federal Courts Rules provides that the Court “may allow a party to amend”; however, it does not impose a mandatory obligation to do so as a precondition to filing evidence. By effectively conditioning the admissibility of evidence on the filing of an amended pleading, the Judge transformed a discretionary procedural mechanism into a rigid requirement.

With respect, if the Federal Court had concerns regarding the form or structure of the record, the appropriate course was to provide directions or permit correction. Instead, the complete exclusion of the affidavit and exhibits prevented the Appellant from placing relevant evidence before the Court and constitutes an error in principle in the exercise of discretion.

## **Ground 2: Procedural Unfairness**

The Judge's refusal to admit the Appellant's affidavit and exhibits deprived the Appellant of a meaningful opportunity to present her case. The exclusion of evidence on procedural grounds, without providing an opportunity to cure any alleged deficiencies, resulted in a fundamentally unfair process.

The manner in which the Judge addressed the Appellant's evidence must be viewed in the broader context of the proceedings, including prior procedural rulings that limited the scope of the Appellant's case. While each decision must be assessed on its own merits, the cumulative effect of these rulings contributed to an appearance that the Appellant was not afforded a full opportunity to present her position.

SIGNED at Carignan the 4<sup>th</sup> day of May, 2026

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