Court File No. A-XXX-XX

**FEDERAL COURT OF APPEAL**

BETWEEN:

NAME(S) OF PARTY(IES)

Appellant(s)

and

NAME(S) OF PARTY(IES)

Respondent(s)

**[**choose one: **APPELLANT’S/RESPONDENT’S] MEMORANDUM OF FACT AND LAW**

**NAME OF PARTY**

Address for service

Tel:

Fax:

Email:

[Appellant/Respondent/etc.]

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# OVERVIEW

1. This section provides a high-level summary of what the proceeding is about.
2. An example would be:
3. The Appellant appeals from the order of [name of decision-maker] made on [date that the order was made]: [here you might provide the name of the decision, the citation, and a link to the decision if it is publicly available]. That order was about [provide a brief high-level description of what that decision was about]. For [reason 1, reason 2, reason 3], the [name of party] requests [what you are asking the Court to do].

# PART I – STATEMENT OF FACTS

1. This section is used to describe relevant facts.
2. It may help to keep to one fact per paragraph, or, at least, to one group of related facts per paragraph.
3. When describing a fact, it helps to provide a reference to where that fact comes from.
4. An example would be:
5. The trial judge found that the contract was breached: Reasons for decision at para. 7.
6. Etc.
7. Etc.

# PART II – POINTS IN ISSUE

1. This section is used to describe the issue(s) that the party believes the Federal Court of Appeal must address in order to make the right decision.
2. As an example:
3. The first issue is the standard of review.
4. The second issue is [describe the second issue].
5. The third issue is [describe the third issue, if there is one].
6. Etc.

# PART III – SUBMISSIONS

## Standard of review [or other heading]

1. The standard of review is [describe the standard(s) of review that apply to the issue(s) named above].

## Heading – Be descriptive of the next submission you will make

1. Here is where you will make your submissions on the first issue.
2. Etc.
3. Etc.
4. Etc.

## Heading – Be descriptive of the next submission you will make

1. Here is where you will make your submissions on the second issue.
2. Etc.
3. Etc.
4. Etc.
5. Etc.

## Heading – Be descriptive of the next submission you will make

1. Here is where you will make your submissions on the third issue.
2. Etc.
3. Etc.
4. Etc.
5. Etc.

# PART IV – ORDER SOUGHT

1. State briefly what order you are asking the Court to make.
2. As an example:
3. The [name of party] asks that the appeal be [granted/dismissed] with costs.

All of which is respectfully submitted, this [day] of [month], [year] at [city], [province/territory].

[signature]\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**NAME OF PARTY**

Address for service

Tel:

Fax:

Email:

[Appellant/Respondent/etc.]

# PART V – LIST OF AUTHORITIES

## LEGISLATION/REGULATIONS

1. Name of relevant law or regulation and the relevant sections of that law or regulation [or as the case may be].
2. Name of another relevant law or regulation and the relevant sections of that law or regulation [or as the case may be].
3. Etc.
4. As an example:
5. [*Interpretation Act*, R.S.C., 1985, c. I-21, s. 26](https://laws.justice.gc.ca/eng/acts/i-21/FullText.html#s-26).
6. [*Access to Information Act*, R.S.C., 1985, c. A-1, s. 1](https://laws.justice.gc.ca/eng/acts/A-1/FullText.html#s-1).
7. [*Migratory Birds Regulations*, 2022, SOR/2022-05, s. 3](https://laws.justice.gc.ca/eng/regulations/SOR-2022-105/FullText.html#s-3).

## CASE LAW

1. Name of relevant case and citation. Include a hyperlink to the decision if publicly available.
2. Name of second relevant case and citation. Include a hyperlink to the decision if publicly available.
3. Etc.
4. As an example:
5. *Housen v. Nikolaisen*, [2002 SCC 33](https://decisions.scc-csc.ca/scc-csc/scc-csc/en/item/1972/index.do).
6. *Canada (Minister of Citizenship and Immigration) v. Vavilov*, [2019 SCC 65](https://decisions.scc-csc.ca/scc-csc/scc-csc/en/item/18078/index.do).

## SECONDARY SOURCES

1. Include any relevant secondary sources (such as books, articles, commentary, etc) here.
2. Etc.
3. Etc.