

SUPREME COURT OF NOVA SCOTIA

Citation: *Canadian National Railway v. Teamsters Canada Rail*, 2017 NSSC 10

Date: 20170110

Docket: *Halifax*, No. 449181

Registry: Halifax

Between:

Canadian National Railway

Applicant

v.

Teamsters Canada Rail Conference

and

Marilyn Silverman, Arbitrator

Respondents

LIBRARY HEADING

Judge: The Honourable Justice Ann E. Smith

Heard: December 20, 2016, in Halifax, Nova Scotia

Judge: The Honourable Justice Ann E. Smith

Written Decision: January 10, 2017

Subject: Judicial Review – Admissibility of New Affidavit

Summary: Affidavit contained legal submissions and argument made in both written and oral arguments of Applicant before Arbitrator. Content of Affidavit did not meet any of exceptions for introducing new affidavit evidence on judicial review.

Issues: (1) Should affidavit not before arbitrator be included in record on judicial review?

Result: Affidavit not included in record on judicial review.

***THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION.
QUOTES MUST BE FROM THE DECISION, NOT THIS LIBRARY SHEET.***