

Court File No.

**COURT OF APPEAL FOR ONTARIO**

BETWEEN:

**ASSOCIATION OF JUSTICE COUNSEL**

Applicant  
(Appellant in Cross-Appeal)

- and -

**ATTORNEY GENERAL OF CANADA**

Respondent  
(Respondent in Cross-Appeal)

**NOTICE OF CROSS- APPEAL**

THE ASSOCIATION OF JUSTICE COUNSEL APPEALS to the Court of Appeal from the judgment of Justice Grace, dated November 1, 2011 made at Toronto.

The Appellant asks that the judgment be varied as follows:

1. The *Expenditure Restraint Act* (“ERA”) be declared to be unconstitutional in its entirety;
2. Such further relief as counsel may request and this Court deem just.

THE GROUNDS OF APPEAL are as follows:

1. The application judge erred in finding that the ERA was justified by s.1 of the *Charter* insofar as it applies to fiscal years 2007-11;

2. Such further grounds as counsel may advise and this Honourable Court may permit.

THE BASIS OF THE COURT OF APPEAL'S JURISDICTION IS:

1. This is an appeal from a final order of a judge of the Superior Court of Justice;
2. Leave to appeal is not required for this appeal.
3. Section 6(1)(b) of the *Courts of Justice Act*, R.S.O. 1990, c. C.43;
4. Rule 61.07 of the *Rules of Civil Procedure*, R.R.O 1990, Reg. 194; and
5. Such further and other grounds as counsel may advise and this Honourable Court permit.

December 9, 2011

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Applicant (Appellant in Cross-Appeal)

- and -

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**ONTARIO  
SUPERIOR COURT OF JUSTICE**

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**NOTICE OF CROSS-APPEAL**

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