

Canadian Human
Rights Tribunal



Tribunal canadien
des droits de la personne

Between:

Ross Eadie

Complainant

- and -

Canadian Human Rights Commission

Commission

- and -

MTS Inc.

Respondent

Ruling

Member: Edward P. Lustig

Date: April 10, 2013

Citation: 2013 CHRT 10

[1] On February 12, 2013, the Tribunal issued Ruling 2013 CHRT 5 which provided for measures to ensure the confidentiality of the inquiry in the present case. Following the issuance of this order, the parties, on consent, requested that the Tribunal amend the Ruling due to the difficulties faced by the Respondent in providing redacted copies of confidential documents. The Tribunal has considered the parties' requests in this regard and hereby amends paragraphs 15 to 17 of the Ruling. These paragraphs now read:

[15] At the time the party files information it designates as confidential, it must provide the document to the Complainant, the Commission and their counsel along with an explanation of how the information falls into a category of information listed above. The party must provide a detailed rationale to explain why the disclosure of the information is not in the public interest.

[16] Documents containing information designated as confidential shall be filed separately and clearly marked as confidential. Documents designated confidential shall be disclosed to the Complainant, the Respondent, their counsel, and Commission counsel only and shall not be disclosed to any other individuals without prior permission from the Tribunal. A party who wishes to discuss a document or information that has been designated as confidential during the hearing shall advise of its intent to the Tribunal at which point the Tribunal will decide whether or not to exercise its discretion pursuant to section 52 of the *Act* and conduct this discussion in camera.

[17] Confidential documents may not be used for any purpose outside of the present inquiry. Should any of the parties wish to disclose or make use of any portion of documents designated as confidential at any public hearing, it will indicate the portions thereof and adopt the procedure set out in paragraph 16 of the present ruling. Confidential designation of documents made by the Tribunal continues in effect until the Tribunal orders otherwise, including for the duration of any judicial review and/or appeal of the proceedings and after final judgment.

Signed by

Edward P. Lustig
Tribunal Member

OTTAWA, Ontario
April 10, 2013

Canadian Human Rights Tribunal

Parties of Record

Tribunal File: T1821/5112

Style of Cause: Ross Eadie v. MTS Inc.

Ruling/Decision of the Tribunal Dated: April 10, 2013

Appearances:

Raymond D. Hall, for the Complainant

Samar Musallam / Giacomo Vigna, for the Canadian Human Rights Commission

Robert A. Watchman / Karen R. Poetker, for the Respondent