

**IN THE SUPREME COURT OF CANADA  
(ON APPEAL FROM THE COURT OF APPEAL FOR ONTARIO)**

BETWEEN:

**MYRIAM MICHAIL**

APPLICANT

— and —

**ONTARIO ENGLISH CATHOLIC TEACHERS' ASSOCIATION, MARSHALL  
JARVIS, BRUNO MUZZI, FERN HOGAN, JOANNE SCHLEEN, SHELLEY  
MALONE, SHEILA BRESCIA;**

**LONDON DISTRICT CATHOLIC SCHOOL BOARD AND  
ONTARIO LABOUR RELATIONS BOARD**

RESPONDENTS

**ATTORNEY GENERAL OF CANADA and  
ATTORNEY GENERAL OF ONTARIO**

RESPONDENTS

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**NOTICE OF MOTION FOR RELIEF FROM COMPLIANCE  
FILED BY THE APPLICANT, MYRIAM MICHAIL  
Self-Represented Litigant  
Pursuant to Rule 8 of the *Rules of the Supreme Court of Canada***

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**September 26, 2019**


TAKE NOTICE that Myriam Michail hereby applies to the Court pursuant to Rule 8 of the *Rules of the Supreme Court of Canada* for an order for relief from compliance for filing an application for leave to appeal, or any further or order that the Court may deem appropriate;




AND FURTHER TAKE NOTICE that the motion shall be made on the following grounds:

1. Upon the facts and circumstances set out in the Affidavit of Myriam Michail;
2. Such further and other grounds as I am advised and as this Court may permit.

Dated at London, Ontario this 24<sup>th</sup> day of September, 2019.

SIGNED BY:

  
Myriam Michail  
Self-Represented Litigant

**ORIGINAL TO: The Registrar**  
**COPIES TO:**

<p>Jacob Pollice  The Attorney General of Canada  Department of Justice  120 Adelaide Street West, suite 400  Toronto, ON M5H 1T1  Tel: 647-256-0542  Fax: 416-973-4328  Email: <a href="mailto:Jacob.Pollice@justice.gc.ca">Jacob.Pollice@justice.gc.ca</a></p>	<p>Aaron Hart  Ontario Labour Relations Board  505 University Avenue – 2nd Floor  Toronto, ON M5G 2P1  Tel: (416) 326-7533  Fax: (416) 326-7531  Email: <a href="mailto:Aaron.Hart@ontario.ca">Aaron.Hart@ontario.ca</a></p>
<p>Elizabeth M. Traynor &amp; Liam Ledgerwood  Counsels for LDCSB  Siskinds LLP  680 Waterloo Street  London ON N6A 3V8  Tel: 519-660-7890 Fax: 519-660-7891  Email: <a href="mailto:beth.traynor@siskinds.com">beth.traynor@siskinds.com</a> /  <a href="mailto:liam.ledgerwood@siskinds.com">liam.ledgerwood@siskinds.com</a></p>	<p>Paul Cavalluzzo &amp; Chris Perri  Counsels for OECTA  Cavalluzzo Shilton McIntyre Cornish LLP  474 Bathurst Street, Suite 300  Toronto, ON M5T 2S6  Tel: 416-964-1115 Fax: 416-964-5895  Email: <a href="mailto:pcavalluzzo@cavalluzzo.com">pcavalluzzo@cavalluzzo.com</a>  <a href="mailto:CPerri@cavalluzzo.com">CPerri@cavalluzzo.com</a></p>
<p>The Attorney General of Ontario  Constitutional Law Branch  720 Bay St. 4th Floor Toronto, ON M7A 2S9  Tel: 416-212-1161  Fax: 416-326-4181  Email: <a href="mailto:audra.ranalli@ontario.ca">audra.ranalli@ontario.ca</a></p>	

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**AFFIDAVIT OF MYRIAM MICHAIL  
MOTION FOR RELIEF FROM COMPLIANCE**

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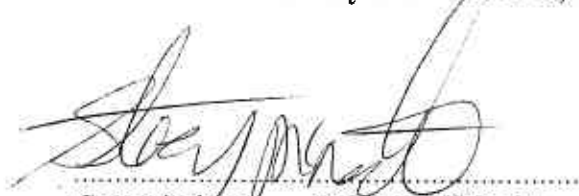
I, Myriam Michail, of the City of London, in the Province of Ontario, **MAKE OATH AND SAY:**

1. My Memorandum for Leave to Appeal is the work of an educator, not a legally trained professional.
2. I am a Self-Represented Litigant with a disability. The hardships and barriers I face include my fragile and deteriorating health, my financial challenges and my unsuccessful attempts to secure legal representation or even legal support and advice.
3. Despite my extensive efforts, I was unable to secure legal representation. I have also spent much time and effort trying to secure an agent in Ottawa as would other experienced lawyers, to help me to submit my case in a succinct way in compliance with the 20 pages maximum for the memorandum for leave to appeal and to maximize my prospects of success in seeking leave.
4. All agents that could have helped me condense my memorandum, would not represent a SRL either informing me that Agents only deal with lawyers or claiming conflict of interest.
5. It is unfair that experienced lawyers can rely on the expertise of agents to produce a condensed document in compliance with the 20 pages restriction, while SRLs are denied this privilege/service and are still required to meet the same expectations.
6. I worked tirelessly with the help of some loyal friends, none of whom are lawyer, to try to condense the memorandum. We were unable to shorten it any further. What I am submitting

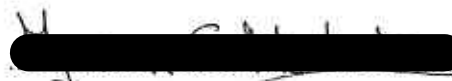
is the result of relentless efforts to produce the most succinct and complete version to the best of my ability.

7. At this stage I feel exhausted and distressed. I would like to sincerely apologize for the length of my Memorandum and call upon you for lenience and consideration to my situation and grant me a relief from compliance and allow for the filing of my 39 pages Memorandum.
8. This case is convoluted and combines two matters being the Appeal of the Ontario Court of Appeal decision and a Constitutional Challenge of National importance. As such, the requirements are condensed into one Memorandum.
9. The length of the litigation, the evidence and events I am required to report for the determination of my case are intertwined and overlap. Omitting information would result in serious prejudice to me.
10. The record amply shows that the Respondents made a procedural morass of this case. There were multiple breaches of due process at the Superior Court and the Court of Appeal which, are important to report in order to allow the Court to make a well-informed decision.
11. I have also bound the Memorandum prior to the list of decisions in my Book because I was unable to serial number all the decisions, prior to photocopying them. My sincere apologies.
12. Despite my efforts, the possibility of other technical errors or deficiencies is also probable; I apologize in advance for any inconvenience this may cause and I am kindly requesting consideration under Rule 8 of the *Rules of the Supreme Court of Canada*, and if it may arise an opportunity to correct errors when necessary.
13. That I make the within Affidavit in support of my Motion for Relief from Compliance for filing the Memorandum for leave to Appeal herein Pursuant to Rule 8 of the *Rules of the Supreme Court of Canada* and do so believing that the matters deposed herein are true

**Sworn before me at the city of St. Thomas, in the Province of Ontario, on September 24, 2019**

  
 Commissioner for Taking Affidavits  
 (or as may be)

STACY ELAINE McMURDO  
 Commissioner, etc., Province of Ontario,  
 for the Government of Ontario  
 Ministry of the Attorney General

  
 (Signature of deponent)  
 Myriam Michail