

FEDERAL COURT OF APPEAL

Between:

Notice of Application

Appellant: Corina Costea
Representative: Marcela Popovici

and

Respondent:

**Canada Employment Insurance Commission
Julie Villeneuve**

TO THE RESPONDENT:

A PROCEEDING HAS BEEN COMMENCED AGAINST YOU by the applicant. The relief claimed by the applicant appears below.

THIS APPLICATION will be heard by the Court at a time and place to be fixed by the Judicial Administrator. Unless the Court orders otherwise, the place of hearing will be as requested by the applicant. The applicant requests that this application be heard at *Federal Court of Appeal in English*.

IF YOU WISH TO OPPOSE THIS APPLICATION, to receive notice of any step in the application or to be served with any documents in the application, you or a solicitor acting for you must file a notice of appearance in Form 305 prescribed by the [Federal Courts Rules](#) and serve it on the applicant's solicitor or, if the applicant is self-represented, on the applicant, WITHIN 10 DAYS after being served with this notice of application.

Copies of the [Federal Courts Rules](#), information concerning the local offices of the Court and other necessary information may be obtained on request to the Administrator of this Court at Ottawa (telephone 613-992-4238) or at any local office.

IF YOU FAIL TO OPPOSE THIS APPLICATION, JUDGMENT MAY BE GIVEN IN YOUR ABSENCE AND WITHOUT FURTHER NOTICE TO YOU.

August 28, 2023

Tribunal File Number: AD-23-226

Issued by: (*Registry Officer*)

Address of local office:

Respondent:

TO: Canada Employment Insurance Commission

Julie Villeneuve

Appellant:

Corina Costea

28422 Fraser Highway

Abbotsford, BC

403-708-7141

corinacostea75@gmail.com

Representative:

Marcela Popovici

charlenepopovici@yahoo.com

604-562-8613

Application

FEDERAL COURT OF APPEAL

This is an application for judicial review in respect of

SOCIAL SECURITY TRIBUNAL OF CANADA

The applicant makes application for: Appeal Division Reconsideration decision date **July 28, 2023 SST(AD-23-226)**

The applicant makes application for:

Degree of deference to the Appeal Division:

a) The applicant was not suspended from her job because of misconduct. Refusing to take the Covid-19 vaccination is not similar to refusing to perform her work duties.

b) The Canada Employment Insurance Commissionaire raised the Cecchetto's case as being similar Corina's Costea case. There are considerable factual differences between Cecchetto's and the appellant's case. The Appeal Division appears to make an error by focusing on Cecchetto's case and not taking in consideration employer's conduct or the material before it.

c) The Appeal division failed to take in consideration the documents which made Corina Costea to not taking Covid 19 vaccination (Exemption Letter, Affidavit, Testimony).

The grounds for the application are:

a) The Appeal Division based its decision on an erroneous finding of fact that it made in a perverse or capricious manner or without regard for the material before it;

b) The Appeal Division failed to observe a principle of natural justice, procedural fairness or other procedure that it was required by law to observe

c) The Appeal Division acted without jurisdiction, acted beyond jurisdiction or refused to exercise its jurisdiction.

This application will be supported by the following material:

Social Security Tribunal of Canada- Decision GE -22-3321 Feb 14, 2023

Social Security Tribunal of Canada - Decision July 28th, 2023 (AD-23-226)

Appellant- Affidavit

The applicant requests SOCIAL SECURITY TRIBUNAL OF CANADA to send a certified copy of the all material that is not in the possession of the applicant but is in the possession of the SST to the applicant and to the Registry:

The appellant oral evidence (testimony) which support her Religious Beliefs.

August 28th, 2023

Corina Costea

Corina Costea
28422 Fraser Highway
Abbotsford, BC
403-708-7141
corinacostea75@gmail.com