
Citation: *Fredericton Police Association v. New Brunswick (Superintendent of Pensions)*, 2019 NBFCST 9

PROVINCE OF NEW BRUNSWICK
FINANCIAL AND CONSUMER SERVICES TRIBUNAL
IN THE MATTER OF THE *PENSION BENEFITS ACT*, S.N.B. 1987, c P-5.1

Date: 2019-08-19
Docket: PE-001-2018

BETWEEN:

**Fredericton Police Association, Local 911 United Brotherhood of
Carpenters and Joiners of America and Applicant 2, Fredericton Fire
Fighters Association, International Association of Fire Fighters, Local
1053 and Applicant 4,**

Applicants,

-and-

Superintendent of Pensions and The City of Fredericton,

Respondents.

ORDER

WHEREAS:

1. On August 1, 2019, the City of Fredericton filed a motion seeking the adjournment of the September 23-27, 2019 hearing dates as their expert witness, David Hughes, would be on vacation from August 17 to September 2, 2019 and unable to comply with the deadline of providing his expert report by August 26, 2019 as set out in the Tribunal's Order of June 7, 2019;
2. In their motion, the City of Fredericton seeks an extension of the deadline for providing the

report of David Hughes from August 26, 2019 to September 30, 2019;

3. According to the Affidavit of David Hughes sworn July 30, 2019, he made his vacation plans before the Tribunal issued its June 7, 2019 Order setting the timetable for this matter; and
4. The Appellants and the Superintendent of Pensions consent to the adjournment of the hearing.

THEREFORE, IT IS HEREBY ORDERED THAT:

1. The September 23 to 27, 2019 hearing dates are adjourned and the hearing is rescheduled to January 27 to 31, 2020.
2. The timeline set out in the Tribunal's June 7, 2019 Order is amended to the following:
 - a) The City of Fredericton shall provide their notice of expert testimony and expert witness report by September 30, 2019 in accordance with rule 10.6 of the *Rules of Procedure*;
 - b) The Respondents shall provide any additional documents they intend to rely on at the hearing to all other parties and the Registrar by September 30, 2019 in accordance with rule 10.3 of the *Rules of Procedure*;
 - c) All parties shall provide their summaries of witnesses' testimony, which shall include a list of all witnesses the party intends to call, other than expert witnesses, together with a description of the anticipated testimony of each witness to all other parties and the Registrar by October 31, 2019;
 - d) The Appellants shall file their *Statements of Position* by November 15, 2019; and
 - e) The Respondents shall file their *Statements of Position* by November 29, 2019.

DATED this 19th day of August 2019.

Judith Keating

Judith Keating, Q.C.
Tribunal Chair