

**Workplace Safety and Insurance
Appeals Tribunal**

505 University Avenue 7th Floor
Toronto ON M5G 2P2
Tel: (416) 314-8800
Fax: (416) 326-5164
TTY: (416) 212-7035
Toll-free within Ontario:
1-888-618-8846

Web Site: www.wsial.on.ca

**Tribunal d'appel de la sécurité professionnelle
et de l'assurance contre les accidents du travail**

505, avenue University, 7^e étage
Toronto ON M5G 2P2
Tél. : (416) 314-8800
Télééc. : (416) 326-5164
ATS : (416) 212-7035
Numéro sans frais dans les limites
de l'Ontario : 1-888-618-8846

Site Web : www.wsial.on.ca



Gillian Shaw
Direct Line: (416) 314-3736
Direct Fax: (416) 314-3365

July 11, 2013

Mr. Paul Taylor



Dear Mr. Taylor:

**RE: Taylor and Workplace Safety & Insurance Appeals Tribunal
Court File No. CV-13-484071**



The Tribunal is in receipt of your Notice of Application issued out of the Superior Court of Justice. In your application you have asked that WSIAT *Decision Nos. 691/05 and 691/05R* be set aside and that you be granted entitlement to various benefits under the *Workplace Safety and Insurance Act*.

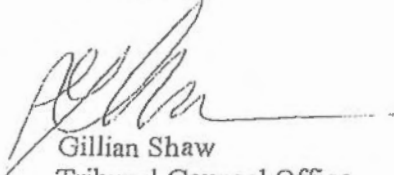
Given the relief that you are seeking, it is clear that the proceeding that you intended to bring is an application for judicial review under the *Judicial Review Procedure Act*, R.S.O. 1990, c. J. 1. I note that you previously informed the Tribunal that you intended to bring a judicial review application, and that in a letter dated June 24, 2013 (copy enclosed), the Tribunal's General Counsel strongly advised you to consult a lawyer before commencing an application for judicial review.

Under the *Judicial Review Procedure Act*, applications for judicial review are brought to the Superior Court of Justice – Divisional Court, and not to the Superior Court of Justice. You have therefore issued your Notice of Application out of the wrong Court.

If you serve and file a Notice of Abandonment of your application in the Superior Court within 3 weeks of the date of this letter, the Tribunal will consent to your application being abandoned without costs (normally, when an applicant abandons an application, the applicant has to pay costs to the respondents).

However, if you do not serve and file a Notice of Abandonment within 3 weeks, the Tribunal will bring a motion to have your application dismissed for the reason that it was brought in the wrong Court. If the Tribunal is forced to bring such a motion, it has the right to seek costs from you.

Yours truly,



Gillian Shaw
Tribunal Counsel Office

GS/ds

Encl. – Letter from General Counsel, Mr. Revington dated June 24, 2013

cc: Jean-Denis Bélec, Workplace Safety and Insurance Board
Attorney General of Ontario