



Canadian International
Trade Tribunal

Tribunal canadien du
commerce extérieur

CANADIAN
INTERNATIONAL
TRADE TRIBUNAL

Appeals

ORDER

Appeal No. AP-2004-048

Outpost Armory Inc.

v.

President of the Canada Border
Services Agency

*Order issued
Tuesday, August 30, 2005*

IN THE MATTER OF an appeal filed under section 67 of the *Customs Act*, R.S.C. 1985 (2d Supp.), c. 1;

AND IN THE MATTER OF a letter dated July 18, 2005, from the Canadian International Trade Tribunal directing Mr. Raymond L. Eng to show cause why the above-noted appeal should not be dismissed pursuant to paragraph 29(c) of the *Canadian International Trade Tribunal Rules*.

BETWEEN

OUTPOST ARMORY INC.

Appellant

AND

**THE PRESIDENT OF THE CANADA BORDER SERVICES
AGENCY**

Respondent

ORDER

WHEREAS the above-noted appeal was filed by Mr. Raymond L. Eng on November 10, 2004, under section 67 of the *Customs Act*;

AND WHEREAS Mr. Eng is not represented on the appeal;

AND WHEREAS, by letter dated November 17, 2004, the Canadian International Trade Tribunal (the Tribunal) accepted the appeal and notified the Canada Border Services Agency;

AND WHEREAS, by letter dated January 18, 2005, the Tribunal indicated that Mr. Eng was to file his brief, pursuant to rule 34 of the *Canadian International Trade Tribunal Rules* (the *Rules*), and the Tribunal had not yet received the brief;

AND WHEREAS, by letter dated February 4, 2005, the Tribunal wrote to Mr. Eng again and attached a completed notice of discontinuance to be signed by Mr. Eng;

AND WHEREAS, by letter dated March 17, 2005, the Tribunal wrote to Mr. Eng and granted an extension of time, allowing him until April 27, 2005 to file his brief;

AND WHEREAS, by letter dated May 2, 2005, the Tribunal wrote to Mr. Eng and attached a completed notice of discontinuance for Mr. Eng's signature;

AND WHEREAS, by letter dated May 16, 2005, the Tribunal wrote to Mr. Eng and attached a final completed notice of discontinuance for Mr. Eng's signature;

AND WHEREAS, by letter dated June 2, 2005, the Tribunal wrote to Mr. Eng and granted an extension of time, allowing him until July 15, 2005 to file his brief;

AND WHEREAS, by letter dated July 28, 2005, the Tribunal directed Mr. Eng to show cause by August 22, 2005, why the appeal should not be dismissed and warned him that failure to show cause might result in the appeal being dismissed without any further proceedings;

AND WHEREAS Mr. Eng's has not filed his brief as directed to by the Tribunal in its letters of January 18, February 4, March 17, May 2 and 16, June 2 and July 28, 2005;

THEREFORE, the Tribunal hereby orders that the above-noted appeal be dismissed pursuant to paragraph 29(c) of the *Rules*.

Pierre Gosselin
Pierre Gosselin
Presiding Member

Hélène Nadeau
Hélène Nadeau
Secretary