

Supreme Court rejects Regina lawyer's appeal

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Regina lawyer Tony Merchant is well-known for his work on Indian residential school cases. (CBC)

The Supreme Court of Canada refused on Thursday to hear an appeal of disciplinary action by the Law Society of Saskatchewan by Regina lawyer Tony Merchant.

In March the Saskatchewan Court of Appeal upheld a ruling by the Law Society of Saskatchewan and ordered Merchant to serve a two-week suspension.

On Thursday, the Supreme Court of Canada rejected Merchant's request to appeal. As is usual, the court did not give reasons for its decision.

The law society found Merchant guilty of conduct unbecoming a lawyer for an unauthorized withdrawal of trust funds in a divorce case where Merchant represented the wife.

Merchant had been ordered by a Court of Queen's Bench judge to hold the proceeds of the sale of the family home in trust until a trial or further court order. Following the trial, the court ordered the sale proceeds to be distributed between the husband and wife in specified amounts.

But Merchant resisted the husband's demands for payment of his share and later used the funds to satisfy court costs assessed in the wife's favour. Months later, the court eventually approved payment of some of the wife's court costs from the husband's funds, but the amount was less than what was originally taken by Merchant.

Merchant's high-profile law firm has pursued class-action suits on behalf of former Indian residential school students, customers of telecommunications giant BCE and people claiming to have developed listeriosis from eating tainted Maple Leaf brand meat.

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