

**SUPREME COURT
OF CANADA**



**COUR SUPRÊME
DU CANADA**

**BULLETIN OF
PROCEEDINGS**

**BULLETIN DES
PROCÉDURES**

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The Bulletin, being a factual report of recorded proceedings, is produced in the language of record. Where a judgment has been rendered, requests for copies should be made to the Registrar, with a remittance of \$10 for each set of reasons. All remittances should be made payable to the Receiver General for Canada.

Le Bulletin rassemble les procédures devant la Cour dans la langue du dossier. Quand un arrêt est rendu, on peut se procurer les motifs de jugement en adressant sa demande au registraire, accompagnée de 10 \$ par exemplaire. Le paiement doit être fait à l'ordre du Receveur général du Canada.

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**APPLICATIONS FOR LEAVE TO
APPEAL FILED**

**DEMANDES D'AUTORISATION
D'APPEL DÉPOSÉES**

Il Nam Cho

Jacqueline An

v. (28551)

Her Majesty the Queen (Ont.)

Michael Kyne

Regional Municipality of Peel

FILING DATE 17.4.2001

Pilot Insurance Company

Claude M. Pensa, Q.C.

Harrison Pensa

v. (28552)

**John Christopher Taggard, by his litigation
guardian Thomas Tessier et al. (Ont.)**

Jerry O'Brien

Paroian, Raphael, Courey, Cohen & Houston

FILING DATE 27.4.2001

Northwood Inc.

Peter G. Voith

Davis & Company

v. (28550)

Forest Practices Board (B.C.)

Mark G. Underhill

Arvay Finlay

FILING DATE 27.4.2001

MAY 7, 2001 / LE 7 MAI 2001

**CORAM: Chief Justice McLachlin and Iacobucci and Bastarache JJ. /
Le juge en chef McLachlin et les juges Iacobucci et Bastarache**

Ruth A. Laseur

v. (28370)

**Workers' Compensation Board of Nova Scotia and Nova Scotia Workers' Compensation Appeals Tribunal
(N.S.)**

NATURE OF THE CASE

Canadian Charter of Rights and Freedoms - Administrative Tribunals - Authority to apply the Charter - Equality Rights - Workers' Compensation - Whether the Worker's Compensation Appeals Tribunal of Nova Scotia has the authority to refuse on Charter grounds to apply benefits provisions of its enabling statute - Whether the chronic pain provisions of the Worker's Compensation Act, S.N.S. 1994-95, c.10, and the Functional Restoration (Multi-Faceted Pain Services) Program Regulations, N.S. Reg.57/96 infringe the equality rights guaranteed under section 15 (1) of the Charter? - Whether the Nova Scotia Court of Appeal erred in upholding the Nova Scotia Workers' Compensation Board's policies which exclude chronic pain as a category of compensable injury?

PROCEDURAL HISTORY

January 31, 2000 Nova Scotia Workers' Compensation Appeals Tribunal (L.M. Rodwell Hayes, A. Green and M.R. Margolian)	Appeal allowed in part
November 8, 2000 Nova Scotia Court of Appeal (Freeman, Flinn and Cromwell JJ.A.)	Appeal against decision of the Worker's Compensation Appeals Tribunal allowed; Applicant's cross-appeal dismissed
January 5, 2001 Supreme Court of Canada	Application for leave to appeal filed

Donald Martin

v. (28372)

Workers' Compensation Board of Nova Scotia, Nova Scotia Workers' Compensation Appeals Tribunal (N.S.)

NATURE OF THE CASE

Canadian Charter of Rights and Freedoms - Administrative Tribunals - Authority to apply the Charter - Equality Rights - Workers' Compensation - Whether the Worker's Compensation Appeals Tribunal of Nova Scotia has the authority to refuse on Charter grounds to apply benefits provisions of its enabling statute - Whether the chronic pain provisions of the Worker's Compensation Act, S.N.S. 1994-95, c.10, and the Functional Restoration (Multi-Faceted Pain Services) Program Regulations, N.S. Reg.57/96 infringe the equality rights guaranteed under section 15 (1) of the Charter? - Whether the Nova Scotia Court of Appeal erred in upholding the Nova Scotia Workers' Compensation Board's policies which exclude chronic pain as a category of compensable injury?

PROCEDURAL HISTORY

January 31, 2000 Nova Scotia Workers' Compensation Appeals Tribunal (A.M Boucher, L.M. Rodwell Hayes and A. Hickey)	Appeal allowed; Applicant entitled to temporary earnings replacement benefits from August 6, 1996 to October 15, 1996 and medical aid up to October 15, 1996
November 8, 2000 Nova Scotia Court of Appeal (Freeman, Flinn and Cromwell JJ.A.)	Appeals against decisions of the Workers' Compensation Appeals Tribunal allowed; Applicant's cross-appeal dismissed
January 5, 2001 Supreme Court of Canada	Application for leave to appeal filed

**CORAM: L'Heureux-Dubé, Arbour and LeBel JJ. /
Les juges L'Heureux-Dubé, Arbour et LeBel**

Tembec Inc.

v. (28214)

American Home Assurance Company, New Hampshire Insurance Company and Commonwealth Insurance Company (Que.)

NATURE OF THE CASE

Commercial law - Insurance - Damages - All-risk insurance policy - Whether the trial judge and the Court of Appeal erred in denying indemnity to the Applicant under the terms of the all-risk insurance policy issued by the Respondents.

PROCEDURAL HISTORY

January 31, 1997 Superior Court of Quebec (Décarie J.)	Applicant's claim seeking compensation under the "Multi-peril-subscription policy" dismissed
August 29, 2000 Court of Appeal of Québec (Brossard, Rochette and Philippon [<i>ad hoc</i>] JJ.A.)	Appeal dismissed
October 27, 2000 Supreme Court of Canada	Application for leave to appeal filed

**Constance Clara Fogal and The Defence of Canadian Liberty Committee /
Le comité de la liberté canadienne**

v. (28351)

**Her Majesty the Queen in Right of Canada, Secretary of State, The Minister of External Affairs, The
Department of Foreign Affairs and International Trade, The Right Honourable Sergio Marchi, The Right
Honourable Jean Chrétien and Other Members of Cabinet (F.C.)**

NATURE OF THE CASE

Administrative law - Judicial review - Procedural law - Mootness - Respondents' motion to dismiss Applicants' application for judicial review for mootness granted - Federal Court of Appeal affirming decision - Whether Court of Appeal erred in creating new class of "non-moot" but "academic" or "hypothetical" constitutional issues which Federal Court had a "discretion" not to hear - Whether Court of Appeal erred in upholding motion judge's decision that, notwithstanding that some of the issues were not moot, he was nonetheless not going to hear them.

PROCEDURAL HISTORY

January 21, 1999 Federal Court of Canada, Trial Division (Dubé J.)	Applicants' motion for recusal dismissed
April 22, 1999 Federal Court of Canada, Trial Division (McKeown J.)	Applicants' application for judicial review dismissed; Respondents' motion to dismiss application for mootness granted
June 12, 2000 Federal Court of Appeal (Isaac, Robertson and Sharlow JJ.A.)	Appeals dismissed
January 4, 2001 Supreme Court of Canada	Application for leave to appeal and motion to extend time filed

**CORAM: Gonthier, Major and Binnie JJ. /
Les juges Gonthier, Major et Binnie**

Golden Flight Travel Ltd.

v. (28341)

**Jowaks Developments Limited, Fredwaks Developments Limited, Robadams Developments Limited, Suzadams
Developments Limited, Howadams Developments Limited, Eladams Developments Limited, Franbee Holdings
Limited, Carbee Holdings Limited and Michabee Holdings Limited (Ont.)**

NATURE OF THE CASE

Procedural law - Appeal - Summary judgment - Evidence - Admission of fresh evidence on appeal - Whether Court of Appeal erred in dismissing appeal from order for summary judgment and in refusing to admit fresh evidence

PROCEDURAL HISTORY

March 20, 2000 Superior Court of Justice (Nordheimer J.)	Respondents' motion for summary judgment granted; Applicant's motion for leave to admit fresh evidence dismissed
October 19, 2000 Court of Appeal for Ontario (Catzman, Borins and Feldman JJ.A.)	Appeal dismissed
December 29, 2000 Supreme Court of Canada	Application for leave to appeal and to extend time filed

Chee K. Ling

v. (28315)

Her Majesty the Queen (B.C.)

NATURE OF THE CASE

Canadian Charter of Rights and Freedoms - Taxation - Self-incrimination - Assessment - Income tax audit conducted pursuant to *Income Tax Act* - Statutorily compelled evidence obtained from audit used against taxpayer - Use and derivative use immunity in a subsequent tax evasion prosecution in which that person's liberty interest is at stake.

PROCEDURAL HISTORY

July 21, 1997 Provincial Court of British Columbia (<i>Voir dire</i>) (Graham Prov. Ct. J.)	Information found during income tax audit to be admissible
August 7, 1997 Provincial Court of British Columbia (Graham Prov. Ct. J.)	Applicant convicted of 5 offences under section 239(1)a) of the <i>Income Tax Act</i> , Canada; conditional stay of proceedings entered on a sixth count
June 5, 1998 Supreme Court of British Columbia (Millward J.)	Appeal from conviction allowed and matter remitted for a new trial on all counts
October 19, 2000 Court of Appeal of British Columbia (McEachern C.J. and Rowles and Hall JJ.A.)	Appeal dismissed
December 15, 2000 Supreme Court of Canada	Application for leave to appeal filed

MAY 10, 2001 / LE 10 MAI 2001

28373 **RICHARD FREEMAN - v. - HER MAJESTY THE QUEEN** (B.C.) (Criminal)

CORAM: The Chief Justice, Iacobucci and Bastarache JJ.

The application for an extension of time is granted and the application for leave to appeal is dismissed.

La demande d'autorisation de prorogation de délai est accordée et la demande d'autorisation d'appel est rejetée.

NATURE OF THE CASE

Criminal law (Non Charter) - Sexual assault - Evidence - Credibility - Whether trial judge misapprehended material parts of the evidence which went to her assessment of the credibility of the complainant and the accused - Whether Court of Appeal's failure to order a new trial in conflict with jurisprudence.

PROCEDURAL HISTORY

June 24, 1997 Supreme Court of British Columbia (Dillon J.)	Applicant convicted of three counts of sexual assault contrary to s. 246.1 of the <i>Criminal Code</i>
March 19, 1999 British Columbia Court of Appeal (McEachern C.J.B.C., Lambert and Esson JJ.A.)	Appeal against conviction on Count 2 dismissed; appeal against conviction on Counts 3 and 4 allowed and acquittal entered
February 16, 2000 British Columbia Court of Appeal (McEachern C.J.B.C., Lambert and Esson JJ.A.)	Applicant's application for an order setting aside the March 19, 1999 decision on Count 2, dismissed
January 24, 2001 Supreme Court of Canada	Application for leave to appeal filed

28392 **KYLE BRENDON STROSHEIN - v. - HER MAJESTY THE QUEEN** (Sask.) (Criminal)

CORAM: The Chief Justice, Iacobucci and Bastarache JJ.

The application for leave to appeal is dismissed.

La demande d'autorisation d'appel est rejetée.

NATURE OF THE CASE

Criminal law - Sentencing - Custodial and conditional sentences - Armed robbery involving small amount of cash - Applicant, notwithstanding a previous conviction, given conditional sentence involving monitored house arrest, curfew and community service - Co-accused in separate proceedings given custodial sentence - Whether court of Appeal should have replaced conditional sentence with custodial sentence without considering all the provisions articulated in s. 742.1 of the *Criminal Code* - Whether conditional sentence demonstrably unfit when it was equivalent to the term of incarceration substituted.

PROCEDURAL HISTORY

May 15, 2000
Provincial Court of Saskatchewan
(Kolenick J.)

Applicant sentenced to a 18-month conditional sentence
with 6 months of electronic monitoring

February 9, 2001
Court of Appeal for Saskatchewan
(Tallis, Vancise [*dissenting*] and Jackson JJ.A.)

Respondent's appeal against sentence allowed; sentence set
aside; imposition of a 10-month sentence

February 28, 2001
Supreme Court of Canada

Application for leave to appeal filed

28278 **DIANE BOUCHER - v. - GASTON DOIRON ET ROGER DOIRON** (N.B.) (Civil)

CORAM: The Chief Justice, Iacobucci and Bastarache JJ.

The application for leave to appeal is dismissed with costs.

La demande d'autorisation d'appel est rejetée avec dépens.

NATURE OF THE CASE

Civil Procedure - Procedural Law - Evidence - Whether findings at trial were based upon credibility - Whether interjections of trial judge caused unfairness.

PROCEDURAL HISTORY

November 18, 1999
Court of Queen's Bench of New Brunswick
(Creaghan, J.)

Damages of \$298,906 awarded to applicant for personal
injuries in motor vehicle accident

October 5, 2000
Court of Appeal of New Brunswick
(Ryan, Turnbull and Drapeau, JJ.A.)

Appeal allowed in part, damages for past loss of
housekeeping increased; Cross-appeal dismissed

November 30, 2000
Supreme Court of Canada

Application for leave to appeal filed

28355 **SA MAJESTÉ LA REINE - c. - DANIEL BRUNETTE** (Qué.) (Criminelle)

CORAM: Le Juge en chef et les juges Iacobucci et Bastarache

La demande d'autorisation d'appel est rejetée.

The application for leave to appeal is dismissed.

NATURE DE LA CAUSE

Droit Criminel - Détermination de la peine - Emprisonnement avec sursis - La Cour d'appel du Québec a-t-elle erré en droit en substituant une peine d'emprisonnement avec sursis à une peine d'emprisonnement continu alors que celle-ci, malgré qu'une erreur de droit aurait été commise, n'était pas manifestement déraisonnable? - Subsidiairement, dans un cas où le premier juge omet lors de l'imposition de la peine de prendre en compte l'emprisonnement avec sursis prévu par l'art. 742.1 du *Code criminel*, L.R.C. 1985, ch. C-46, la Cour d'appel doit-elle lui retourner le dossier afin que l'examen de cette peine soit effectué selon les principes prescrits à l'article 718 du *Code criminel* et conformément à ceux émis par cette Cour dans les arrêts *R. c. Proulx*, [2000] 1 R.C.S. 61, *R. c. R.A.R.*, [2000] 1 R.C.S. 163 et *R.c. R.N.S.*, [2000] 1 R.C.S. 149?

HISTORIQUE PROCÉDURAL

Le 8 mai 1998
Cour du Québec (Chambre criminelle et pénale)
(Cadioux j.c.q.)

Intimé condamné à 18 mois d'emprisonnement pour agression sexuelle

Le 17 novembre 2000
Cour d'appel du Québec
(Beauregard, Proulx et Pelletier jj.c.a.)

Appel accueilli; ordonnance que la peine de 18 mois d'emprisonnement soit purgée dans la collectivité

Le 15 janvier 2001
Cour suprême du Canada

Demande d'autorisation d'appel déposée

28301 **ANDRZEJ MACIOROWSKI - v. - LIBERTY MUTUAL INSURANCE COMPANY** (Ont.) (Civil)

CORAM: The Chief Justice, Iacobucci and Bastarache JJ.

The application for leave to appeal is dismissed with costs.

La demande d'autorisation d'appel est rejetée avec dépens.

NATURE OF THE CASE

Commercial law - Insurance - Insurer's duty to defend - Tort action against insured - Alleged breach of statutory condition - Insurer denying liability and added to action as statutory third party - Insured seeking costs of independent defence from insurer - Whether issue of insurer's duty to defend an insured, in a case where the insurer alleges a breach of condition, is to be determined on a case-by-case basis - Whether *Nichols v. American Home Assurance*, [1990] 1 S.C.R. 801, should have been applied - Alternatively, whether there were clear and uncontested breaches of condition - Alternatively, whether the matter should have been remanded to motions judge for determination, on a full hearing of all the evidence and case law.

PROCEDURAL HISTORY

November 16, 1999
Superior Court of Justice
(Kiteley J.)

Applicant's motion for order compelling Respondent to provide and pay for defence of action dismissed

October 3, 2000
Court of Appeal for Ontario
(Catzman, Abella and Rosenberg JJ.A.)

Appeal dismissed

December 4, 2000
Supreme Court of Canada

Application for leave to appeal filed

28326

WAWANESA MUTUAL INSURANCE COMPANY - v. - BRENT SHEPHERD AND BARBARA WEIR SHEPHERD (Alta.) (Civil)

CORAM: The Chief Justice, Iacobucci and Bastarache JJ.

The application for leave to appeal is dismissed with costs.

La demande d'autorisation d'appel est rejetée avec dépens.

NATURE OF THE CASE

Commercial law - Insurance - Exclusions - Notice - Court of Appeal finding that insurer was in breach of s. 203(1) of *Insurance Act*, R.S.A. 1980, c. I-5, and therefore could not rely on exclusions in policy - Whether purpose of s. 203(1) is to impose a duty on an insurer to provide real and actual notice of policy exclusions to an insured, so as to protect that insured from suffering real prejudice by virtue of being uninformed.

PROCEDURAL HISTORY

December 17, 1998
Court of Queen's Bench of Alberta
(Belzil J.C.Q.B.A.)

Action against the Applicant dismissed

October 23, 2000
Court of Appeal of Alberta
(McFadyen, Picard and Costigan JJ.A.)

Appeal allowed

December 22, 2000
Supreme Court of Canada

Application for leave to appeal filed

28319 **RAVI DEVGAN - v. - NASIM JIWANI AND RAJABLI JIWANI** (Ont.) (Civil)

CORAM: The Chief Justice, Iacobucci and Bastarache JJ.

The application for leave to appeal is dismissed with costs.

La demande d'autorisation d'appel est rejetée avec dépens.

NATURE OF THE CASE

Commercial law - Bankruptcy - Applicant defaulted on debt - Respondents obtained civil judgment - Applicant declared bankruptcy - Applicant convicted of fraud in relation to debt and ordered to make compensation under (former) s. 725(1) of the *Criminal Code* - Declaration made that civil judgment survives bankruptcy - Whether there was excessive delay in bringing an application before the Bankruptcy Court - Whether a criminal compensation order and a civil judgment can be made in respect of the same debt.

PROCEDURAL HISTORY

February 26, 2000
Superior Court of Justice
(Farley J.)

Declaration that the Applicant's discharge from bankruptcy did not release the debt owed to Respondents

October 20, 2000
Court of Appeal for Ontario
(Catzman, Charron and MacPherson JJ.A.)

Appeal dismissed

December 18, 2000
Supreme Court of Canada

Application for leave to appeal filed

30.4.2001

Before / Devant: THE REGISTRAR

Motion to extend the time in which to serve and file the factum of the intervener the Attorney General of Newfoundland

Requête en prorogation du délai imparti pour signifier et déposer le mémoire de l'intervenant le Procureur général de Terre-Neuve

Her Majesty the Queen

v. (27717)

Ford Ward (Nfld.)

GRANTED / ACCORDÉE Time extended to April 20, 2001.

30.4.2001

Before / Devant: THE REGISTRAR

Motion to extend the time in which to serve and file the appellant's factum, record and book of authorities

Requête en prorogation du délai imparti pour signifier et déposer les dossier, mémoire et recueil de jurisprudence et de doctrine de l'appelant

Robert Martin Friedland

v. (27773)

United States of America, et al. (Ont.)

GRANTED / ACCORDÉE Time extended to August 31, 2001.

1.5.2001

Before / Devant: IACOBUCCI J.

Further order on motion for leave to intervene

Autre ordonnance sur une requête en autorisation d'intervention

BY/PAR: La Procureure générale du Québec
Canadian Judges Conference

IN/DANS: Her Majesty the Queen in Right of the Province of New Brunswick as represented by The Minister of Finance, et al.

v. (27722)

Ian P. Mackin, et al. (N.B.)

GRANTED / ACCORDÉE

UPON APPLICATION by the Attorney General of Québec and the Canadian Judges Conference / Conférence canadienne des juges for leave to intervene in the above appeal and pursuant to the orders of February 9, 2001 and March 7, 2001;

IT IS HEREBY FURTHER ORDERED THAT the said interveners are granted permission to present oral argument at the hearing of the appeal not to exceed the time allowed respectively to each of them as follows:

- | | | |
|---|----------------------------|------------|
| - | Attorney General of Québec | 10 minutes |
| - | Canadian Judges Conference | 10 minutes |

À LA SUITE D'UNE DEMANDE de la Procureure générale du Québec et la Conférence canadienne des juges / Canadian Judges Conference visant à obtenir l'autorisation d'intervenir dans l'appel susmentionné et suite aux ordonnances du 9 février 2001 et 7 mars 2001;

IL EST EN OUTRE ORDONNÉ que les plaidoiries des intervenants soient respectivement limitées de la façon suivante:

- | | | |
|---|---------------------------------|------------|
| - | Procureure générale du Québec | 10 minutes |
| - | Conférence canadienne des juges | 10 minutes |

1.5.2001

Before / Devant: THE REGISTRAR

Motion to extend the time to serve and file a notice of intention to intervene

Requête en prorogation du délai imparti pour signifier et déposer un avis d'intention d'intervenir

BY/PAR: Attorney General of Saskatchewan

IN/DANS: Chief Councillor Mathew Hill, also known as Tha-Iathatk, on his own behalf and on behalf of all other members of the Kitkatla Band, et al.

v. (27801)

The Minister of Small Business,
Tourism and Culture, et al. (B.C.)

GRANTED / ACCORDÉE Time extended to April 17, 2001, *nunc pro tunc*.

1.5.2001

Before / Devant: GONTHIER J.

Miscellaneous motion

Autre requête

Sa Majesté la Reine

c. (27581)

Neil Peters (Crim.)(Qué.)

GRANTED / ACCORDÉE

La requête de la part de l'intimé Neil Peters pour signifier et déposer le "mémoire des intimés mémoire d'appel incident (règle 29(3) de la Cour suprême)" et le "respondent's factum" dans leur état actuel est accordée sous réserve du jugement rendu ce jour dans le dossier 27579.

1.5.2001

Before / Devant: GONTHIER J.

Motion by the appellant to strike out

Requête en radiation de la part de l'appelante

Sa Majesté la Reine

c. (27579)

Roger Craig Denton (Crim.)(Qué.)

and

Sa Majesté la Reine

c. (27581)

Neil Peters (Crim.)(Qué.)

GRANTED / ACCORDÉE

Vu l'art. 29(3) des règles de la Cour suprême du Canada, la requête est accordée, ordre est donné de radier les par. 167 à 174 du mémoire de l'intimé Denton, sauf à se pourvoir.

1.5.2001

Before / Devant: THE DEPUTY REGISTRAR

Motion to extend the time in which to serve and file the factum and book of authorities of the intervener the Attorney General of Saskatchewan

Her Majesty the Queen in Right of the Province of New Brunswick as represented by The Minister of Finance, et al.

v. (27722)

Ian P. Mackin, et al. (N.B.)

GRANTED / ACCORDÉE Time extended to April 19, 2001, *nunc pro tunc*.

Requête en prorogation du délai imparti pour signifier et déposer les mémoire et recueil de jurisprudence et de doctrine de l'intervenant le Procureur général de la Saskatchewan

2.5.2001

Before / Devant: MAJOR J.

Motions to strike out

Manickavasagam Suresh

v. (27790)

The Minister of Citizenship and Immigration, et al. (F.C.)

GRANTED IN PART / ACCORDÉE EN PARTIE

The respondents' motion to strike subparagraphs 14(v) and 14(vi) of the factum of the intervener, the Federation of Associations of Canadian Tamils is granted in part. Only subparagraph 14(v) is struck from the factum.

GRANTED / ACCORDÉE

The respondents' motion to strike paragraphs 40, 42 and 44 of the factum and tabs 44 and 47 of the book of authorities of the intervener, the Canadian Council for Refugees is granted.

Requêtes en radiation

3.5.2001

Before / Devant: THE DEPUTY REGISTRAR

Motion to extend the time in which to serve and file the factum of the intervener the Attorney General of Alberta

Requête en prorogation du délai imparti pour signifier et déposer le mémoire de l'intervenant le Procureur général de l'Alberta

Chief Councillor Mathew Hill, also known as Thathathk, on his own behalf and on behalf of all other members of the Kitkatla Band, et al.

v. (27801)

The Minister of Small Business, Tourism and Culture, et al. (B.C.)

GRANTED / ACCORDÉE Time extended to June 12, 2001.

3.5.2001

Before / Devant: THE DEPUTY REGISTRAR

Motion to extend the time in which to file the respondent's factum, record and book of authorities

Requête en prorogation du délai imparti pour déposer les mémoire, dossier et recueil de jurisprudence et de doctrine de l'intimée

Ka Lam Law, et al.

c. (27870)

Sa Majesté la Reine (Crim.)(N.-B.)

GRANTED / ACCORDÉE Délai prorogé au 15 juin 2001.

3.5.2001

Before / Devant: THE DEPUTY REGISTRAR

Motion to extend the time in which to serve and file a response to the application for leave

Requête en prorogation du délai imparti pour signifier et déposer une réponse à la demande en autorisation

Richard Freeman

v. (28373)

Her Majesty the Queen (Crim.)(B.C.)

GRANTED / ACCORDÉE Time extended to March 12, 2001.

**NOTICE OF APPEAL FILED SINCE
LAST ISSUE**

**AVIS D'APPEL DÉPOSÉS DEPUIS LA
DERNIÈRE PARUTION**

9.4.2001

Howard Burke

v. (28546)

Her Majesty the Queen (Ont.)

AS OF RIGHT

19.4.2001

Michael Derrick Robicheau

v. (28545)

Her Majesty the Queen (N.S.)

AS OF RIGHT

30.4.2001

Hughes Communications Inc.

v. (28070)

Spar Aerospace Limited, et al. (Que.)

DEADLINES: MOTIONS

DÉLAIS: REQUÊTES

BEFORE THE COURT:

Pursuant to Rule 23.1 of the *Rules of the Supreme Court of Canada*, the following deadlines must be met before a motion before the Court can be heard:

Motion day : **May 14, 2001**
Service : April 23, 2001
Filing : April 27, 2001
Respondent : May 4, 2001

Motion day : **June 11, 2001**
Service : May 18, 2001
Filing : May 25, 2001
Respondent : June 1, 2001

DEVANT LA COUR:

Conformément à l'article 23.1 des *Règles de la Cour suprême du Canada*, les délais suivants doivent être respectés pour qu'une requête soit entendue par la Cour :

Audience du : **14 mai 2001**
Signification : 23 avril 2001
Dépôt : 27 avril 2001
Intimé : 4 mai 2001

Audience du : **11 juin 2001**
Signification : 18 mai 2001
Dépôt : 25 mai 2001
Intimé : 1 juin 2001

DEADLINES: APPEALS

The Fall Session of the Supreme Court of Canada will commence October 1, 2001.

Pursuant to the *Supreme Court Act* and *Rules*, the following requirements for filing must be complied with before an appeal can be inscribed for hearing:

Appellant's record; appellant's factum; and appellant's book(s) of authorities must be filed within four months of the filing of the notice of appeal.

Respondent's record (if any); respondent's factum; and respondent's book(s) of authorities must be filed within eight weeks of the date of service of the appellant's factum.

Intervener's factum and intervener's book(s) of authorities, if any, must be filed within four weeks of the date of service of the respondent's factum, unless otherwise ordered.

Parties' condensed book, if required, must be filed on or before the day of hearing of the appeal.

Please consult the Notice to the Profession of October 1997 for further information.

The Registrar shall inscribe the appeal for hearing upon the filing of the respondent's factum or after the expiry of the time for filing the respondent's factum.

DÉLAIS: APPELS

La session d'automne de la Cour suprême du Canada commencera le 1^{er} octobre 2001.

Conformément à la *Loi sur la Cour suprême* et aux *Règles*, il faut se conformer aux exigences suivantes avant qu'un appel puisse être inscrit pour audition:

Le dossier de l'appelant, son mémoire et son recueil de jurisprudence et de doctrine doivent être déposés dans les quatre mois du dépôt de l'avis d'appel.

Le dossier de l'intimé (le cas échéant), son mémoire et son recueil de jurisprudence et de doctrine doivent être déposés dans les huit semaines suivant la signification du mémoire de l'appelant.

Le mémoire de l'intervenant et son recueil de jurisprudence et de doctrine, le cas échéant, doivent être déposés dans les quatre semaines suivant la signification du mémoire de l'intimé, sauf ordonnance contraire.

Le recueil condensé des parties, le cas échéant, doivent être déposés au plus tard le jour de l'audition de l'appel.

Veillez consulter l'avis aux avocats du mois d'octobre 1997 pour plus de renseignements.

Le registraire inscrit l'appel pour audition après le dépôt du mémoire de l'intimé ou à l'expiration du délai pour le dépôt du mémoire de l'intimé.

SUPREME COURT OF CANADA SCHEDULE
CALENDRIER DE LA COUR SUPREME

2000

OCTOBER - OCTOBRE						
S D	M L	T M	W M	T J	F V	S S
1	M 2	3	4	5	6	7
8	H 9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

NOVEMBER - NOVEMBRE						
S D	M L	T M	W M	T J	F V	S S
			1	2	3	4
5	M 6	7	8	9	10	11
12	H 13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

DECEMBER - DECEMBRE						
S D	M L	T M	W M	T J	F V	S S
					1	2
3	M 4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	H 25	H 26	27	28	29	30
31						

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JANUARY - JANVIER						
S D	M L	T M	W M	T J	F V	S S
	H 1	2	3	4	5	6
7	8	9	10	11	12	13
14	M 15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

FEBRUARY - FÉVRIER						
S D	M L	T M	W M	T J	F V	S S
				1	2	3
4	5	6	7	8	9	10
11	M 12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28			

MARCH - MARS						
S D	M L	T M	W M	T J	F V	S S
				1	2	3
4	5	6	7	8	9	10
11	M 12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

APRIL - AVRIL						
S D	M L	T M	W M	T J	F V	S S
1	2	3	4	5	6	7
8	9	10	11	12	H 13	14
15	H 16	M 17	18	19	20	21
22	23	24	25	26	27	28
29	30					

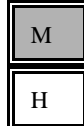
MAY - MAI						
S D	M L	T M	W M	T J	F V	S S
		1	2	3	R 4	R 5
R 6	7	8	9	10	11	12
13	M 14	15	16	17	18	19
20	H 21	22	23	24	25	26
27	28	29	30	31		

JUNE - JUIN						
S D	M L	T M	W M	T J	F V	S S
					1	2
3	4	5	6	7	8	9
10	M 11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

Sittings of the court:
Séances de la cour:

Motions:
Requêtes:

Holidays:
Jours fériés:



18 sitting weeks / semaines séances de la cour
78 sitting days / journées séances de la cour

9 motion and conference days / journées requêtes, conférences
3 holidays during sitting days / jours fériés durant les sessions