

**SUPREME COURT  
OF CANADA**



**COUR SUPRÊME  
DU CANADA**

**BULLETIN OF  
PROCEEDINGS**

**BULLETIN DES  
PROCÉDURES**

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Guy Matte

c. (28488)

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Germain Tremblay

Procureur général du Québec

DATE DE PRODUCTION 28.3.2001

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Grey Casgrain

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Gérald R. Tremblay, Q.C.

McCarthy Tétrault

FILING DATE 28.3.2001

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Jeffrey Green

Green & Claus

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Kate Ker

A.G. of British Columbia

FILING DATE 5.4.2001

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**Thomas Robert Zinck**

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v. (28367)

**Her Majesty the Queen (N.B.)**

Michael O. Leblanc

FILING DATE 5.4.2001

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**Canadian Broadcasting Corporation et al.**

Marlys Edwardh

Ruby & Edwardh

v. (28477)

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Michal Fairburn

A.G. for Ontario

FILING DATE 12.4.2001

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**Compagnie d'assurance Continental du Canada**

Guy Pépin, c.r.

Pépin, Letourneau

c. (28522)

**Technilab Inc. et al. (Qué.)**

Sophie Beauchemin

Dunton Rainville

DATE DE PRODUCTION 12.4.2001

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**Jeanette Dechant**

Jeanette Dechant

v. (28293)

**The Law Society of Alberta (Alta.)**

A. Webster MacDonald Jr., Q.C.

Blake, Cassels & Graydon LLP

FILING DATE 17.4.2001

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**Steven Kong Tang**

Neil L. Cobb

Cobb & Co.

v. (28506)

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

Cory Stolte

A.G. of Canada

FILING DATE 17.4.2001

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**Raymond F. Pasquan**

Raymond F. Pasquan

v. (28478)

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FILING DATE 20.3.2001

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Madame Ghislaine Paquette

c. (28490)

**Monsieur Jacques Delfosse (Qué.)**

Jean Renaud  
Parent, Renaud

DATE DE PRODUCTION 22.3.2001

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**Mohamed Zeki Mahjoub**

Rocco Galati  
Galati, Rodrigues, Azevedo & Associates

v. (28528)

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

Donald McIntosh  
A.G. of Canada

FILING DATE 23.3.2001

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**Bryan Latham**

Richard Litkowski  
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v. (28529)

**Her Majesty the Queen (Ont.)**

Sadian Campbell  
A.G. of Canada

FILING DATE 2.4.2001

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Mark D. Andrews  
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v. (28496)

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John Sandrelli  
Heenan Blaikie

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**Domenico Scalise**

Lucille Brisson  
Alarie, Legault, Beauchemin, Paquin,  
Jobin, Brisson & Philpot

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**Tribunal administratif du Québec (Qué.)**

Murielle LaHaye  
Lemieux, Chrétien, LaHaye & Corriveau

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**Robert Larry Bouvier**

Bruce J. Slusar

v. (28523)

**Her Majesty the Queen (Sask.)**

John D. Whyte, Q.C.  
A.G. for Saskatchewan

FILING DATE 3.4.2001

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Serge Brodeur  
Procureur général du Québec

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**Charlie Pinteric**  
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**The Corporation of the City of Toronto also known as The City of Toronto, et al.**  
Thomas G. Andrews  
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v. (28524)

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v. (28480)

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Lewis N. Gottheil  
CAW - Canada Legal Department

FILING DATE 21.3.2001

**Thomas Ian McKeen**  
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v. (28481)

**Her Majesty the Queen, as represented by the Attorney General of Nova Scotia (N.S.)**  
Kenneth W.F. Fiske, Q.C.  
A.G. of Nova Scotia

FILING DATE 22.3.2001

**Visual Education Centre Limited et al.**  
Darryl T. Mann  
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v. (28484)

**Stuart Grant et al. (Ont.)**  
Douglas Hodgson  
Hodgson Orkin Post LLP

FILING DATE 23.3.2001

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**La Caisse Populaire Desjardins de Val-Brillant**  
P. Michel Bouchard  
Fasken Martineau DuMoulin

c. (28483)

**Métivier & Associés Inc. (Qué.)**  
Jean-Patrick Bédard  
Brisset des Nos, Gravel

DATE DE PRODUCTION 23.3.2001

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**Zellers Inc. - Val d'Or No. 467**  
Michel Gélinas  
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c. (28485)

**Me Jean Lalonde, ès qualités de Commissaire du travail (Qué.)**

DATE DE PRODUCTION 26.3.2001

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**Monique Parent**  
Monique Parent

c. (28486)

**Sous-ministre du Revenu du Québec (Qué.)**  
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Veillette & Associés

DATE DE PRODUCTION 26.3.2001

**John Susin**

John Susin

v. (28482)

**Bono General Construction Limited et al. (Ont.)**  
Rocco A. Grilli  
Mackesy, Smye, Turnbull, Grilli, Jones,  
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**Charles Ferenczi**

Charles Ferenczi

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**The Financial Services Commission of Ontario et al. (Ont.)**

John T. Petrosoniak  
Financial Services Commission of Ontario  
Legal Services Branch

FILING DATE 29.3.2001

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**Ville de Kirkland**

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Bouchart d'Orval Cadrin

c. (28491)

**Les Immeubles Yale Ltée et al. (Qué.)**  
Alfred Bélisle  
Bélisle, Bertrand, Dubé, St-Jean

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**Sadasivarao Byrapaneni**

Sadasivarao Byrapaneni

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**Curtis Raymond et al. (N.B.)**

Curtis Raymond

FILING DATE 2.4.2001

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**Robert Caya**

Irwin Koziobrocki

v. (28495)

**Her Majesty the Queen (Ont.)**

Stacey Young  
A.G. for Ontario

FILING DATE 4.4.2001

**Lucille Dubé**

Lucille Dubé

c. (28493)

**Commission scolaire des Portages de l'Outaouais  
(Qué.)**

Guy Régimbal  
Letellier et Associés

DATE DE PRODUCTION 4.4.2001

**Royal Canadian Mounted Police**

Joel E. Pink, Q.C.  
Pink, Murray, Graham

v. (28500)

**Her Majesty the Queen (N.S.)**

Duncan R. Beveridge, Q.C.  
Beveridge, Lambert & Duncan

FILING DATE 6.4.2001

**Chimitec Ltée**

Jacques Ladouceur  
Cliche Lortie Ladouceur

c. (28501)

**Ordre des Chimistes du Québec (Qué.)**

Jean Lanctot  
Ferland Marois Lanctot

DATE DE PRODUCTION 6.4.2001

**The Cook's Road Maintenance Association**

Robert J. Reynolds  
Reynolds, O'Brien, Kline & Selick

v. (28497)

**Crowhill Estates and the Attorney General of  
Ontario (Ont.)**

William E. Baker

FILING DATE 9.4.2001

**United Parcel Service du Canada Ltée**

Gérard Dugré  
Fraser Milner Casgrain S.R.L.

c. (28503)

**Communauté Urbaine de Montréal (Qué.)**

Michel Locas  
Dunton Rainville, S.E.N.C.

DATE DE PRODUCTION 9.4.2001

**Walter Gordon McOuat**

Walter Gordon McOuat

v. (28519)

**The Law Society of British Columbia (B.C.)**

Gerald A. Cuttler  
Walsh & Company

FILING DATE 12.4.2001

**Francine Mayville et als**

Pierre Laplante  
Laplante et associés

c. (28511)

**Nortel (Northern Télécom Canada Ltée) (Qué.)**

Benoît Turmel  
Fasken, Martineau, Dumoulin, s.r.l.

DATE DE PRODUCTION 12.4.2001

**Francine Mayville et als**

Pierre Laplante  
Laplante et associés

c. (28509)

**L'Union canadienne des travailleurs en  
communications (Unité 4) et al.**

Marco Gaggino

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Castiglio & Associés

DATE DE PRODUCTION 12.4.2001

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**Ronald G. Stevens et al.**

J. Patrick Peacock  
Peacock, Linder & Halt

v. (28514)

**Jeanette Dechant (Alta.)**

Jeanette Dechant

FILING DATE 12.4.2001

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**Gilles Tousignant**

Jean-Philippe Gervais  
Gervais & Gervais, s.e.n.c.

c. (28521)

**Banque de Nouvelle-Écosse (Qué.)**

William Assels  
St-Onge & Assels

DATE DE PRODUCTION 12.4.2001

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**Marian Plucinski**

Marian Plucinski

v. (28512)

**Roderick H. Mackenzie (B.C.)**

Michael G. Armstrong  
Armstrong & Company

FILING DATE 12.4.2001

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**Federated Co-operatives Limited**

Michael E. Barrack  
McCarthy Tétrault

v. (28505)

**Her Majesty the Queen (F.C.)**

Christopher Rupar  
A.G. of Canada

FILING DATE 17.4.2001

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**Banque Nationale de Paris (Canada) et al.**

Thomas G. Heintzman, Q.C.  
McCarthy Tétrault

v. (28508)

**Canadian Imperial Bank of Commerce et al.  
(Ont.)**

Patrick O'Kelly  
Stikeman, Elliott

FILING DATE 17.4.2001

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**Jean-Marie Pelletier**

Jean-Marie Pelletier

c. (28515)

**André Dionne (Qué.)**

Rene Chamard  
Chamard Grand'Maison

DATE DE PRODUCTION 17.4.2001

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**Les Laboratoires Bio-Recherches Ltée**

Eric L. Clark  
Clark & Partners

v. (28507)

**Technilab Inc. (Qué.)**

Sophie Beauchemin

FILING DATE 17.4.2001

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**National Bank of Canada**

Ronald J. LeBlanc  
LeBlanc Boudreau Desjardins Maillet

v. (28517)

**Western Surety Company (N.B.)**

E.J. Mockler, Q.C.  
Mockler, Peters, Oley, Rouse & Williams

FILING DATE 18.4.2001

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**Tara Maria Bell**

Martin F. Allen

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Brooks & Marshall Associates

v. (28518)

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

Marian K. Brown

A.G. for Ontario - Crown Law Office

FILING DATE 4.4.2001

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**Communauté Urbaine de Montréal**

Anne Marie Babkine

Joli-Coeur, Lacasse, Geoffrion, Jetté, St-  
Pierre

c. (28531)

**Les Immeubles Yale Ltée et al. (Qué.)**

Alfred Bélisle

Bélisle, Bertrand, Dubé, St-Jean

FILING DATE 2.4.2001

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**APPLICATIONS FOR LEAVE  
SUBMITTED TO COURT SINCE LAST  
ISSUE**

**DEMANDES SOUMISES À LA COUR  
DEPUIS LA DERNIÈRE PARUTION**

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**APRIL 23, 2001 / LE 23 AVRIL 2001**

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

**Serge Gagnon**

**c. (28356)**

**Sa Majesté la Reine (Crim.)(Qué.)**

**NATURE DE LA CAUSE**

Droit criminel - La Cour d'appel a-t-elle erré en droit en rejetant l'appel du requérant pour le seul motif que la question était relative à la crédibilité des témoins sans se pencher sur les erreurs manifestes du juge de première instance? Le juge de première instance a-t-il perpétré un déni de justice envers le requérant en écartant d'emblée l'ensemble de la théorie de la défense sans le justifier? Le verdict de culpabilité est-il déraisonnable compte tenu de l'ensemble de la preuve?

**HISTORIQUE PROCÉDURAL**

Le 11 octobre 1996  
Cour du Québec  
(Cartier, j.c.q.)

Demandeur reconnu coupable de 103 chefs d'accusation  
en vertu des articles 158 a), 198 a), b) et g) de la *Loi sur  
la Faillite*, L.R.C. 1985, ch. B-3

Le 21 novembre 2000  
Cour d'appel du Québec  
(Forget, Pidgeon, et Rochon [*ad hoc*], j.j.c.a.)

Appel du demandeur rejeté

Le 16 janvier 2001  
Cour suprême du Canada

Demande d'autorisation d'appel déposée

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**Ian Verner MacDonald**

**v. (28393)**

**Her Majesty the Queen in Right of Ontario, The Attorney General of Ontario and the Honourable Charles Harnick, William Malcolm Bishop, Terrance Sterling Bishop, Michael Chinkiwsky and S. Bergau (F.C.)**

**NATURE OF THE CASE**

Procedural law - Did lower courts err in disposition of case?

**PROCEDURAL HISTORY**

July 12, 1999  
Federal Court of Canada, Trial Division  
(Lemieux J.)

Motions to strike and dismiss action granted

November 14, 2000  
Federal Court of Appeal  
(Strayer, Rothstein and Malone J.J.A.)

Appeal dismissed

January 15, 2001  
Supreme Court of Canada

Application for leave to appeal filed

---

**Raymond Errol Conley**

**v. (28316)**

**Tracy Lynn Beaudoin, Christine Dawn Renshaw, Andrea Lenore Fyfe (Man.)**

**NATURE OF THE CASE**

Procedural law - Limitation of actions - Actions for injuries to the person founded on a tort or any breach of duty - Actions grounded on other equitable ground of relief not specifically dealt with - Can injuries to the person constitute a cause of action for breach of fiduciary duty? - Did the Applicant have a fiduciary duty toward the Respondents? - When were the alleged injuries discoverable? - What is the applicable statutory limitation provision?

**PROCEDURAL HISTORY**

February 22, 2000  
Court of Queen's Bench of Manitoba  
(MacInnes J.)

Applicant's motion for summary judgment dismissing Respondents' claim granted;

	Respondents' action for tortious assaults and breach of fiduciary duty dismissed on grounds that action was statute-barred
September 20, 2000 Court of Appeal of Manitoba (Huband [dissenting], Philp, Helper, Monnin and Steel J.J.A.)	Respondents' appeal dismissed; appeal against dismissal allowed; issue of whether there was a breach of fiduciary duty ordered to proceed to trial
December 28, 2000 Supreme Court of Canada	Application for leave to appeal filed
February 1, 2001 Supreme Court of Canada (LeBel J.)	Motion for an extension of time granted

---

**Ian Verner MacDonald**

**v. (28395)**

**Her Majesty the Queen, The Professional Institute of the Public Service (F.C.)**

**NATURE OF THE CASE**

Procedural law - Extension of time - Whether the Federal Court, Trial Division erred in failing to grant a motion to extend the time to file an appeal.

**PROCEDURAL HISTORY**

November 3, 1998 Federal Court of Canada, Trial Division (Reed J.)	Applicant's application for extension of time for filing a notice of appeal denied
November 14, 2000 Federal Court of Appeal (Strayer, Rothstein and Malone JJ.A.)	Appeal dismissed
January 15, 2001 Supreme Court of Canada	Application for leave to appeal filed

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**592123 B.C. Ltd.**

**v. (28127)**

**Her Majesty the Queen in Right of the Province of British Columbia, City of Kamloops, Baron Enterprises Ltd., British Columbia Wilderness Tours Inc., A & A Estates Ltd., A & A Foods Ltd., Canadian Western Bank, Giovanni Camporese, AIC International Resources Corporation and 415669 B.C. Ltd. (B.C.)**

**NATURE OF THE CASE**

Property Law - Mortgages - Judicial Sale - Conduct of sale - Foreclosure proceedings - Whether a trustee, receiver or other person designated to conduct negotiations in the context of a sale requiring judicial approval must have the ability to effectively conclude such arrangements with third parties and whether those third parties must have a corresponding ability to rely upon and enter into good faith negotiations with a view to confidently concluding an agreement - Whether preference should be applied for the interests of provincial or municipal governments over those of private parties - What principles should be considered in deciding when a trustee, receiver or other such person has acted improvidently - Whether third parties should enjoy certainty in negotiations leading to judicial approval to justify their expenditure of time and money, and to promote overall order in the marketplace

**PROCEDURAL HISTORY**

December 8, 1999 Supreme Court of British Columbia (Smith J.)	Master's order set aside; order that property be sold to Applicant on terms and conditions contained in Province's application
May 15, 2000	Respondent "Baron Enterprises Ltd.'s" appeal dismissed;

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Court of Appeal of British Columbia  
(Esson, Huddart and Saunders JJ.A.)

Respondents “City of Kamloops” and “B.C. Wilderness  
Tours” appeals allowed; sale of property to “B.C.  
Wilderness Tours” for \$1,150,000.00 approved

September 13, 2000  
Supreme Court of Canada

Application for leave to appeal and an extension of time  
filed

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**Cumberland Asset Management, Berner & Company Inc., Global Securities Corporation, Peel Brooke Inc.,  
Robert N. Granger and Adrian M.S. White**

**v. (28333)**

**1235866 Ontario Inc., KPMG Inc. as Interim Receiver of Curragh Inc. and Deloitte & Touche Inc. as Interim  
Receiver of Anvil Range Mining Corporation (Ont.)**

**NATURE OF THE CASE**

Commercial law - Contracts - Agreement of purchase and sale - Motions judge confirming that transfer of assets under general conveyance included right to seek remedies against former employees of mining company in relation to certain mines - Court of Appeal affirming decision - Whether courts below erred in law in holding that earlier agreement of purchase and sale did not include mining company’s interest in confidentiality and other agreements relating to those mines.

**PROCEDURAL HISTORY**

December 27, 1999  
Superior Court of Justice  
(Farley J.)

Order confirming that transfer to 1235866 Ontario Inc.  
included right to seek remedies against Curragh’s former  
employees in relation to Kassandra Mines

November 6, 2000  
Court of Appeal for Ontario  
(Catzman, Abella and Sharpe JJ.A.)

Appeal dismissed

December 28, 2000  
Supreme Court of Canada

Application for leave to appeal filed

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

**M.S.**

**c. (28256)**

**L.C. (Qué.)**

**NATURE DE LA CAUSE**

Droit de la famille - Garde - Modification d'ordonnance provisoire de garde - La Cour d'Appel a-t-elle erré dans son interprétation des dispositions de l'article 17 de la *Loi sur le divorce* en concluant que, depuis le jugement rendant une ordonnance provisoire de garde, il n'était survenu aucun fait nouveau justifiant la modification de cette ordonnance.

**HISTORIQUE PROCÉDURAL**

Le 9 août 2000  
Cour supérieure du Québec  
(Rousseau j.c.s.)

Requête en modification des mesures provisoires prévues par le jugement de la Cour supérieure du Québec en date du 19 avril 1999 accueillie

Le 25 octobre 2000  
Cour d'appel du Québec  
(Nuss, Vallerand et Pidgeon jj.c.a.)

Appel accueilli

Le 20 novembre 2000  
Cour suprême du Canada

Demande d'autorisation d'appel déposée

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**Marie-Louis Lessard**

**c. (28201)**

**Corporation municipale de Courcelles (Qué.)**

**NATURE DE LA CAUSE**

Droit Municipal - Expropriation - Procédure - Procédure civile - Appel - La Cour d'appel a-t-elle erré en droit en déclarant qu'un exproprié puisse être déclaré vexatoire après que ce dernier ait obtenu un désistement total - La Cour d'appel a-t-elle erré en droit en concluant qu'une ville a le droit d'exproprier les terrains privés adjacents aux terrains qu'elle possède pour effectuer une voie d'accès dite l'expropriation nécessaire - La Cour d'appel a-t-elle erré en droit en déterminant qu'un propriétaire a le droit de céder sa propriété pour un prix minime - La Cour d'appel a-t-elle erré en droit en concluant qu'un exproprié n'a pas le droit à une description selon le *Code Civil du Québec*?

**HISTORIQUE PROCÉDURAL**

Le 13 juin 2000  
Cour supérieure du Québec  
(Fournier j.c.s.)

Requête de l'Intimée pour rejet de l'action intentée  
accueillie;  
Demandeur déclaré plaideur vexatoire;  
Ordonnance au Demandeur de n'intenter aucune  
procédure impliquant l'Intimée, notamment toute  
procédure reliée au contrat intervenu en 1975 entre  
l'Intimée et le Demandeur, toute procédure reliée aux  
immeubles dont le demandeur est propriétaire dans la  
Municipalité de Courcelles ou toute procédure reliée à  
l'expropriation qui a fait objet de débats entre la Société  
Québécoise d'assainissement des eaux et le Demandeur  
à moins qu'autorisation préalable

Le 25 septembre 2000  
Cour d'appel du Québec  
(Proulx, Forget et Thibault jj.c.a.)

Requête de l'Intimée pour rejet d'appel accueillie; appel  
du Demandeur rejeté

Le 17 octobre 2000  
Cour suprême du Canada

Demande d'autorisation d'appel déposée

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**The Estate of the Late Frederick J. Haas**

**v.(28338)**

**Her Majesty the Queen (F.C.)**

**NATURE OF THE CASE**

Taxation - Assessment - Income tax - Capital gain - Deemed disposition on death - *Canada - United States Tax Convention, 1980* reduction of capital gain - Assets acquired prior to Valuation Day - Meaning of "gain" in Article XIII(9) of the 1980 *Canada-United States Income Tax Convention* - Proper approach to the interpretation of Canada's income tax treaties and the weight to be given to extrinsic materials such as the Technical Explanation and Senate Committee hearings.

**PROCEDURAL HISTORY**

October 14, 1999  
Tax Court of Canada  
(Margeson J.T.C.C.)

Applicant's appeal from assessment made under *Income Tax Act* dismissed

November 3, 2000  
Federal Court of Appeal  
(Rothstein, Sexton and Evans JJ.A.)

Appeal dismissed

December 28, 2000  
Supreme Court of Canada

Application for leave to appeal filed

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**Arnold Tracey and Kanatherm Limited**

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v. (28328)

**Vibron Limited (Ont.)**

**NATURE OF THE CASE**

Commercial law - Mechanics' liens - Contractor's and subcontractor's trust - Trial judge granting Respondent's action against Applicants for damages for breach of trust under s. 8 of *Construction Lien Act*, R.S.O. 1990, c. C.30 - Court of Appeal affirming decision - Whether Court of Appeal and trial court have applied the trust provisions of the *Construction Lien Act* in such a broad fashion as to significantly increase the personal liability of the officers, directors and employees of construction companies.

**PROCEDURAL HISTORY**

December 24, 1998  
Superior Court of Justice  
(Low J.)

Respondent's action for damages for breach of trust under s. 8 of the *Construction Lien Act* granted; Applicants' counterclaim dismissed

October 25, 2000  
Court of Appeal for Ontario  
(Morden, Charron and Sharpe JJ.A.)

Appeal dismissed; cross-appeal dismissed

December 27, 2000  
Supreme Court of Canada

Application for leave to appeal filed

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**Régent Millette**

c. (28045)

**Marcel Dagenais, Saul Yaros, Marie-Laure Hébert, Diane Yaros, Alice Perreault, Denise Côté, Jean Louis Cliche, Elise Brunet, Pierre Côté, Léonie Couture, Suzanne Hervieux, Roger Côté, Gérard B. Côté et Francine Couture (Qué.)**

**NATURE DE LA CAUSE**

Droit civil – Hypothèque – *Code civil du Bas-Canada*, art. 1040a – Défaut des débiteurs d'exécuter leur obligation en vertu l'acte de prêt de rembourser le capital dû et les intérêts courus – Action personnelle hypothécaire – La Cour d'appel a-t-elle erré en prononçant un jugement rectificatif sans donner l'occasion au demandeur d'être entendu au préalable? – La règle *audi alteram partem* a-t-elle été enfreinte?

**HISTORIQUE PROCÉDURAL**

Le 16 juin 1993  
Cour supérieure du Québec  
(Brassard, j.c.s.)

Action personnelle hypothécaire contre les intimés accueillie

Le 4 mai 2000  
Cour d'appel du Québec  
(Mailhot, Beaudouin, Rousseau-Houle, jj.c.a.)

Pourvoi accueilli en partie à la fin de limiter à 112 000\$ le montant dû par les intimés



Le 10 mai 2000  
Cour d'appel du Québec  
(Mailhot, Beaudouin, Rousseau-Houle, jj.c.a.)

Arrêt rectificatif émis ; montant total dû par les intimés  
est de 112 000\$, représentant une somme de 37 333,33\$  
pour chaque dossier (ou immeuble)

Le 9 août 2000  
Cour suprême du Canada

Demande d'autorisation d'appel déposée

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

**Angelina Codina**

**v. (28434)**

**Her Majesty the Queen (Crim.)(Ont.)**

**NATURE OF THE CASE**

Criminal Law - Fraud - Falsifying Documents - Whether a trial judge's blatant and serious error with respect to the burden of proof should be excused on the basis that a correct self-direction was also expressed - Whether a trial judge may rely on protestations of innocence as negatively affecting credibility - Whether in a credibility centred case, the motivation of animus of the Crown's key witness can be entirely disregarded - Whether a trial judge may infer concoction of a defence - Whether the ethical duty of a lawyer to report misconduct supports a corollary right for authorities to receive and retain documents seized without a warrant - Whether a search warrant authorizing a search of a lawyer's office can be justified where there are alternative means available to the authorities to obtain the information sought - Whether a search warrant lacking in particularity with respect to items sought to be seized, accompanied by a massive overzealure is reasonable - Whether the verdict was unreasonable

**PROCEDURAL HISTORY**

November 27, 1997  
Superior Court of Justice  
Humphrey J.

Conviction: defrauding the Ontario Legal Aid Plan and  
falsifying a document with intent to defraud the Ontario  
Legal Aid Plan

December 13, 2000  
Court of Appeal for Ontario  
(Osborne A.C.J.O., Carthy, and Laskin JJ.A.)

Appeal against conviction and sentence dismissed

February 19, 2001  
Supreme Court of Canada

Application for leave to appeal filed

March 29, 2001  
Supreme Court of Canada  
(Binnie J.)

Motion to extend time to file and/or serve leave application  
to February 19, 2001 granted

**J.R.L.**

**v. (28381)**

**Her Majesty The Queen (Crim.)(Ont.)**

**NATURE OF THE CASE**

Criminal law - Search and seizure - Whether the motions judge had jurisdiction to conduct a review of the Applicant's psychiatric records seized pursuant to a search warrant - Whether the procedures provided in the Ontario *Mental Health Act* should be followed with respect to a seizure of psychiatric records under the *Criminal Code* - Whether the psychiatric records are privileged - Whether the procedure developed in *O'Connor* could be applied to the psychiatric records of an accused person

**PROCEDURAL HISTORY**

June 26, 2000 Superior Court of Justice (MacLeod J.)	Order: Application to quash the search warrant dismissed
September 6, 2000 Superior Court of Justice (MacLeod J.)	Order: Applicant's psychiatric records to be disclosed to Respondent
February 2, 2001 Court of Appeal for Ontario (Rosenberg, Moldaver, and Goudge JJ.A.)	Appeal dismissed in part; jurisdiction declined in part
February 5, 2001 Supreme Court of Canada	Application for leave to appeal and motion to extend time filed
March 6, 2001 Supreme Court of Canada (Bastarache J.)	Stay of execution granted

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**The Law Society of Alberta**

**v. (28275)**

**Craig Charles Krieger, the Minister of Justice and the Attorney General of Alberta (Alta.)**

**NATURE OF THE CASE**

Statutes - Interpretation - Constitutional law - Jurisdiction - Jurisdiction of law society to discipline a member for conduct during exercise of prosecutorial discretion in criminal proceeding - Who should oversee the conduct of prosecutors exercising prosecutorial discretion to ensure that the conduct is ethical - Does the review of a prosecutor's exercise of discretion by his employer, the Attorney General, preclude scrutiny of the conduct by the Law Society - Whether Rule 28 of the Alberta *Code of Professional Conduct* is *intra vires* - Whether the power to make rules of professional conduct is *ultra vires* the Law Society - *Legal Profession Act*, S.A. 1990, c. L-9.1.

**PROCEDURAL HISTORY**

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June 26, 1997  
Court of Queen's Bench of Alberta  
(MacKenzie J.)

Application for an order in the nature of *certiorari*, prohibition and declarations aimed at preventing the Applicant from continuing to proceed against the Respondent Krieger under section 51 of the *Legal Profession Act*, dismissed.

September 27, 2000  
Court of Appeal of Alberta  
(Fraser C.J., Sulatycky and Bracco JJ.A.)

Appeal allowed; Orders in the nature of *certiorari* and prohibition granted

November 27, 2000  
Supreme Court of Canada

Application for leave to appeal filed

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**Gabor L. Zsoldos**

**v. (28262)**

**Banfill Holovaci (Ont.)**

**NATURE OF THE CASE**

Canadian Charter - Civil - Procedural Law - Civil Procedure - Apprehension of bias - Whether judge should not have heard motion for leave to appeal because he demonstrated bias during a prior hearing in other proceedings - Whether evidence suppressed - Whether Court of Appeal disregarded argument - Whether *Charter* breached.

**PROCEDURAL HISTORY**

July 7, 1997  
Small Claims Court  
(Cohen, D.J.)

Award of \$6000 to Respondent

March 9, 2000  
Ontario Superior Court, Divisional Court  
(O'Driscoll J.)

Appeal dismissed

October 12, 2000  
Ontario Court of Appeal  
(Finlayson, Weiler, Goudge JJ.A.)

Motion for leave to appeal dismissed

December 12, 2000  
Supreme Court of Canada

Application for leave to appeal and motion to extend time filed

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**Gabor L. Zsoldos**

**v. (28263)**

**The Ontario Association of Architects (Ont.)**

**NATURE OF THE CASE**

Canadian Charter - Civil - Procedural Law - Civil Procedure - Whether Court of Appeal erred regarding advice given on release of reasons for decision - Whether Court of Appeal disregarded intention to appeal - Whether extension of time should have been granted - Apprehension of bias created by appointments of judges - Appearances of prejudgment of issues - *Charter* rights to pursuit of livelihood, fair and impartial court or tribunal, equal benefit of law without discrimination, and *Charter* remedies.

**PROCEDURAL HISTORY**

October 20, 1993 Discipline Committee of Ontario Association of Architects (Sievenpiper, Tawadros, Goldenberg Mbrs.)	Applicant guilty of professional misconduct. Certificate of practice suspended for four months. Order to attend seminars, write exams, and pay \$18,000
February 11, 1997 Ontario Court (General Division), Divisional Court (Southey J.)	Motion for extension of time to appeal order of Oct. 20, 1993 dismissed
September 15, 1998 Discipline Committee of Ontario Association of Architects (Martel, Bacon and Camenzuli Mbrs.)	Applicant's license and certificate of practice suspended and order to pay \$20,000 for failure to comply with order of Oct. 20, 1993
February 11, 1999 Ontario Court (General Division), Divisional Court (Rosenberg J.)	Motion to stay decision of Sept. 15, 1998 dismissed
August 12, 1999 Ontario Superior Court, Divisional Court (MacFarland, Ferrier and Winkler JJ.)	Motions to accept fresh evidence, to set aside order of Feb. 11, 1999 and to stay appeal dismissed; Appeal from decision of Sept. 15, 1998 dismissed
August 27, 1999 Ontario Superior Court, Divisional Court (Nordheimer J.)	Application for judicial review of decision of August 12, 1999 dismissed
February 22, 2000 Ontario Court of Appeal (Finlayson J.A.)	Motions to adjourn dismissed; Motion to extend time to appeal from decisions of August 12, 1999 and August 27, 1999 dismissed
July 6, 2000 Court of Appeal for Ontario (Finlayson J.A.)	Motion to adjourn re-hearing of decision of Feb. 22, 2000 dismissed
July 6, 2000 Court of Appeal for Ontario (Morden, Catzman and Moldaver JJ.A.)	Motion to refuse adjournment affirmed; Decision of Feb. 22, 2000 refusing time extension affirmed
December 12, 2000 Supreme Court of Canada	Applications for leave to appeal and extension of time filed

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17.4.2001

Before / Devant: THE DEPUTY REGISTRAR

**Motion to extend the time in which to serve and file the respondents' response**

**Requête en prorogation du délai de signification et de dépôt de la réponse des intimés**

ECU-Line N.V.

v. (28472)

Z.I. Pompey Industrie, et al. (F.C.)

**GRANTED / ACCORDÉE** Time extended to May 23, 2001.

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19.4.2001

Before / Devant: THE DEPUTY REGISTRAR

**Motion to extend the time in which to serve and file the respondent's book of authorities**

**Requête en prorogation du délai imparti pour signifier et déposer le recueil de jurisprudence et de doctrine de l'intimée**

Giacinto Arcuri

v. (27797)

Her Majesty the Queen (Crim.)(Ont.)

**GRANTED / ACCORDÉE** Time extended to April 9, 2001.

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19.4.2001

Before / Devant: THE DEPUTY REGISTRAR

**Motion to extend the time in which to serve and file the book of authorities of the interveners Friends of the Earth, West Coast Environmental Law Association and Canadian Association of Physicians for the Environment**

**Requête en prorogation du délai imparti pour signifier et déposer le recueil de jurisprudence et de doctrine de l'intervenants Les Ami(e)s de la terre, West Coast Environmental Law Association et Association canadienne des médecins pour l'environnement**

John Hollick

v. (27699)

The City of Toronto (Ont.)

**GRANTED / ACCORDÉE** Time extended to April 2, 2001.

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19.4.2001

Before / Devant: THE DEPUTY REGISTRAR

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

Her Majesty the Queen

v. (27717)

Ford Ward (Nfld.)

**GRANTED / ACCORDÉE** Time extended to May 11, 2001.

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19.4.2001

Before / Devant: THE DEPUTY REGISTRAR

**Motion for permission to file the appellant's record without marginal numbering**

Cherie Gronnerud, by her Litigation Guardians, Glenn Gronnerud and Judith Ann Farr, et al.

v. (27993)

Harold Robert (Bud) Gronnerud, as Executor of the Estate of Harold Rusell Gronnerud (Sask.)

**GRANTED / ACCORDÉE**

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20.4.2001

Before / Devant: BASTARACHE J.

**Motion for extension of time and leave to intervene**

BY/PAR: Law Foundation of Ontario

IN/DANS: John Hollick

v. (27699)

The City of Toronto (Ont.)

**GRANTED / ACCORDÉE**

**UPON APPLICATION** by the Law Foundation of Ontario for an extension of time and for leave to intervene in the above appeal;

**AND HAVING READ** the material filed ;

**IT IS HEREBY ORDERED THAT:**

**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 l'Alberta**

**Requête visant à obtenir l'autorisation de déposer le dossier de l'appelante sans numérotation dans la marge**

**Requête visant à obtenir une prorogation de délai et l'autorisation d'intervenir**

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The motion for an extension of time and for leave to intervene of the applicant Law Foundation of Ontario is granted and the applicant shall be entitled to serve and file a factum not to exceed 20 pages in length to be filed on or before May 18, 2001.

The request to present oral argument is denied.

The intervener shall not be entitled to adduce further evidence or otherwise to supplement the record of the parties.

Pursuant to Rule 18(6) the intervener shall pay to the appellant and respondent any additional disbursements occasioned to the appellant and respondent by the intervention.

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20.4.2001

Before / Devant: THE DEPUTY REGISTRAR

**Motion to extend the time in which to serve and file the factum of the respondents**

**Requête en prorogation du délai imparti pour signifier et déposer le mémoire des intimés**

539938 Ontario Limited, et al.

v. (27524)

Tyler Derksen, a minor, by his litigation guardian  
William Derksen, et al. (Ont.)

**GRANTED / ACCORDÉE** Motion by 539938 Ontario Ltd. et al. in their uninsured capacity is granted. Time extended to April 4, 2001.

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23.4.2001

Before / Devant: LEBEL J.

**Motion to extend the time in which to serve and file an application for leave**

**Requête en prorogation du délai de signification et de dépôt d'une demande d'autorisation**

Charles Morley Slinn

v. (28347)

The Workers' Compensation Board, et al. (Sask.)

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**DISMISSED WITHOUT COSTS / REJETÉE SANS DÉPENS**

The motion for extension of time to file a motion for leave to appeal to May 1, 2001 and for a further extension to June 15 and its supporting material do not set out any valid reason for an extension of time. Moreover, a reading of the material confirms that the intended appeal does not have any possibility of success, given the apparent nature of the grounds of appeal. For these reasons, the motion is dismissed without costs.

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23.4.2001

Before / Devant: LEBEL J.

**Motion to extend the time in which to serve and file  
an application for leave**

**Requête en prorogation du délai de signification et de  
dépôt d'une demande d'autorisation**

Charles Morley Slinn

v. (28348)

The Workers' Compensation Board, et al. (Sask.)

**DISMISSED WITHOUT COSTS / REJETÉE SANS DÉPENS**

The motion for extension of time to file a motion for leave to appeal to May 1, 2001 and for a further extension to June 15 and its supporting material do not set out any valid reason for an extension of time. Moreover, a reading of the material confirms that the intended appeal does not have any possibility of success, given the apparent nature of the grounds of appeal. For these reasons, the motion is dismissed without costs.



**NOTICE OF APPEAL FILED SINCE  
LAST ISSUE**

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

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11.4.2001

**David Malmo-Levine**

**v. (28026)**

**Her Majesty the Queen (B.C.)**  
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11.4.2001

**Victor Eugene Caine**

**v. (28148)**

**Her Majesty the Queen (B.C.)**  
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17.4.2001

**Christopher James Clay**

**v. (28189)**

**Her Majesty the Queen (Ont.)**  
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**NOTICES OF INTERVENTION FILED  
SINCE LAST ISSUE**

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

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BY/PAR: Attorney General for Saskatchewan

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

**v. (27801)**

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

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**NOTICE OF DISCONTINUANCE  
FILED SINCE LAST ISSUE**

**AVIS DE DÉSISTEMENT DÉPOSÉS  
DEPUIS LA DERNIÈRE PARUTION**

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25.4.2001

**Douglas Hillier**

v. (28274)

**Her Majesty the Queen (Ont.)**

(Leave)

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**APPEALS HEARD SINCE LAST ISSUE  
AND DISPOSITION**

**APPELS ENTENDUS DEPUIS LA  
DERNIÈRE PARUTION ET  
RÉSULTAT**

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23.4.2001

CORAM: L'Heureux-Dubé, Iacobucci, Major, Bastarache, Binnie, Arbour and LeBel JJ.

**Peter William Fliss**

Richard C.C. Peck, Q.C. for the appellant.

**v. (27998)**

**Her Majesty the Queen (B.C.)(Crim.)(As of Right)**

William F. Ehrcke, Q.C. for the respondent.

**RESERVED / EN DÉLIBÉRÉ**

**Nature of the case:**

*Charter of Rights and Freedoms* - Criminal law - Evidence - Voir dire - Charge to jury - Whether the trial judge erred in admitting the *viva voce* evidence of Sgt. Haslett of his conversations with the Appellant on January 29, 1997, having previously ruled that the tape recorded intercept of that same conversation was inadmissible.

**Nature de la cause:**

*Charte des droits et libertés* - Droit criminel - Preuve - Voir-dire - Directives au jury - Le juge du procès a-t-il erré en jugeant recevable le témoignage de vive voix du sergent Haslett concernant sa conversation avec l'appelant le 29 janvier 1997, puisqu'il avait déjà décidé que l'enregistrement de cette conversation était irrecevable?

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23.4.2001

CORAM: L'Heureux-Dubé, Iacobucci, Major, Bastarache, Binnie, Arbour and LeBel JJ.

**Bernard Gerardus Maria Berendsen, et al.**

Richard D. Lindgren and Donald R. Good for the appellants.

**v. (27312)**

**Her Majesty the Queen in Right of Ontario (Ont.)  
(Civil) (By Leave)**

William J. Manuel and James W. Smith for the respondent.

**RESERVED / EN DÉLIBÉRÉ**

**Nature of the case:**

Procedural law - Limitation of actions - Public authorities - Whether s. 7 of the *Public Authorities Protection Act* applies to protect the Crown in historic environmental contamination cases - Whether an action involving historic environmental contamination is reasonably discoverable until the tortfeasor is identified - Whether the phrase "continuance of injury or damage" in s. 7 of the *Public Authorities Protection Act* includes acts, omissions and breaches of duty which occur or continue after environmental contamination has

Droit procédural - Prescription - Pouvoirs publics - L'article 7 de la *Loi sur l'immunité des personnes exerçant des attributions d'ordre public* protège-t-il l'État dans le cas d'une contamination de l'environnement antérieure à la réglementation - Dans une action relative à la contamination de l'environnement à une époque antérieure à la réglementation, la communication préalable peut-elle raisonnablement avoir lieu avant que l'identité de l'auteur du délit ne soit établie? - L'expression « le

**Nature de la cause:**

commenced, so as to prevent reliance upon a limitation defence - Whether express or implied representations and conduct constitute waiver or promissory estoppel so as to prevent reliance upon a limitation defence.

préjudice s'est poursuivi » employé à l'art. 7 de la *Loi sur l'immunité des personnes exerçant des attributions d'ordre public* englobe-t-elle les actes, les omissions et les inexécutions qui surviennent ou se poursuivent après le début de la contamination de l'environnement, de façon à exclure le moyen de défense fondé sur la prescription? - Les déclarations et les comportements explicites ou implicites emportent-ils renonciation ou préclusion promissive de telle sorte que le moyen de défense fondé sur la prescription ne puisse être invoqué?

25.4.2001

CORAM: L'Heureux-Dubé, Iacobucci, Major, Bastarache, Binnie, Arbour and LeBel JJ.

**539938 Ontario Limited, et al.**

v. (27524)

**Tyler Derksen, a minor, by his litigation guardian  
William Derksen, et al. (Ont.)(Civil)(By Leave)**

Steven Stieber and Heleni Maroudas for the appellants.

Earl A. Cherniak, Q.C., S. Alexander Zaitzeff and Kirk F. Stevens for the respondents 539938 Ontario Limited, et al (with respect to Wawanesa Automobile Policy Number 3556895).

Kristopher H. Knutsen, Q.C. and Wesley Derksen for the respondents Tyler Derksen, et al.

Lawrence G. Phillips for the respondents 539938 Ontario Limited, et al. (in their uninsured capacity).

**L'HEUREUX-DUBÉ J.** (orally for the Court):

We are all of the view that this appeal should be dismissed with costs, reasons to follow.

**LE JUGE L'HEUREUX-DUBÉ** (oralement au nom de la Cour):

Nous sommes tous d'avis qu'il y a lieu de rejeter le présent pourvoi avec dépens, motifs à suivre.

**Nature of the case:**

Commercial law - Insurance - Automobile insurance - General liability insurance - Coverage - Exclusions - Concurring causes - Whether in a case involving multiple sources of causation, coverage under a liability policy should be afforded where one of the sources of causation is excluded from coverage while others are not - Whether the exclusion clause in the Commercial General Liability policy is triggered in that the loss arose out of the ownership, use or operation of an automobile.

**Nature de la cause:**

Droit commercial - Assurance - Assurance-automobile - Assurance de la responsabilité civile - Garantie - Exclusions - Causes concomitantes - Lorsque les causes d'un sinistre sont multiples, la garantie prévue dans un contrat d'assurance responsabilité s'applique-t-elle lorsque l'une de ces causes est exclue? - La clause d'exclusion figurant dans le contrat d'assurance de la responsabilité civile commerciale s'applique-t-elle du fait que le sinistre résulte de la propriété, de l'utilisation ou du fonctionnement d'une automobile?

26.4.2001

CORAM: Major, Bastarache, Binnie, Arbour and LeBel JJ.

**Lenore Rideout**

Jerome P. Kennedy for the appellant.

v. (27675)

**Her Majesty the Queen (Nfld.)(Crim.)(As of Right)**

Kathleen Healey for the respondent.

**DISMISSED / REJETÉ**

MAJOR J. (orally):

[TRADUCTION] LE JUGE MAJOR (oralement) :

It is common ground that the defence counsel was an experienced and competent one. The appellant contends, however, that trial counsel's decision in this case was a mistake and led to a miscarriage of justice.

Il est admis que l'avocat de la défense était expérimenté et compétent. Toutefois, l'appelante prétend que la décision prise par son avocat au procès était erronée et a entraîné une erreur judiciaire.

We do not agree with his submission and the appeal is dismissed substantially for the reasons of the majority in the Newfoundland Court of Appeal.

Nous ne souscrivons pas à cet argument et le pourvoi est rejeté, essentiellement pour les motifs exposés par les juges majoritaires en Cour d'appel de Terre-Neuve.

**Nature of the case:**

**Nature de la cause:**

Criminal law - Evidence - Jury Charge - Conviction of second degree murder - Victim dies before trial - Victim makes hearsay statements before dying - Crown admits some hearsay statements but not others with consent of defence counsel - Whether the majority of the Court of Appeal erred in law in finding that trial counsel had made a tactical decision which should not be interfered with on appeal - Was Marshall J.A. correct in finding that trial counsel made a material and manifest error which could have affected the verdict? - If so, is there any scope for a Court of Appeal to interfere where such error falls short of the standard definition of incompetence of counsel?

Droit criminel - Preuve - Directives au jury - Déclaration de culpabilité de meurtre au deuxième degré - Décès de la victime avant la tenue du procès - Avant son décès, la victime a fait des déclarations qui ont ensuite été relatées - L'avocat du ministère public et l'avocat de la défense ont convenu de la recevabilité de certaines des déclarations relatées, à l'exclusion des autres - La majorité des juges de la Cour d'appel a-t-elle erré en droit en concluant que les avocats avaient pris une décision de nature tactique qui ne devait pas être modifiée en appel? - Le juge Marshall, J.C.A. a-t-il eu raison de conclure que les avocats avaient commis une erreur importante et manifeste ayant pu influencer le verdict? - Le cas échéant, la Cour d'appel peut-elle intervenir lorsqu'une telle erreur ne relève pas de l'incompétence des avocats au sens où on l'entend habituellement?

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26.4.2001

CORAM: Major, Bastarache, Binnie, Arbour and LeBel JJ.

**Her Majesty the Queen**

Gregg Lawlor and Manfred Pflug for the appellant.

v. (28226)

**Lloyd Alfred Pakoo (Man.)(Crim.)(As of Right)**

Aaron M. London for the respondent.

**DISMISSED / REJETÉ**

MAJOR J. (orally):

[TRADUCTION] LE JUGE MAJOR (oralement) :

We are all in agreement, substantially for the reasons of the majority of the Court of Appeal for Manitoba, that this appeal should be dismissed.

Nous sommes tous d'avis, essentiellement pour les motifs exposés par les juges majoritaires en Cour d'appel du Manitoba, que le présent pourvoi doit être rejeté.

The Court of Appeal applied the governing principles in *R. v. Yebe*, [1987] 2 S.C.R. 168 and *R. v. Biniaris*, [2000] 1 S.C.R. 381, and there has been no reason demonstrated in this Crown appeal as of right for this Court to interfere.

La Cour d'appel a appliqué les principes pertinents énoncés dans les arrêts *R. c. Yebe*, [1987] 2 R.C.S. 168 et *R. c. Biniaris*, [2000] 1 R.C.S. 381, et il n'a été présenté, dans le présent appel formé de plein droit par le ministère public, aucune raison justifiant notre Cour d'intervenir.

**Nature of the case:**

**Nature de la cause:**

Criminal law - Evidence - Alleged sexual assaults - Child complainant - Unreasonable verdict - Whether the Court of Appeal for Manitoba erred in law in finding that the verdict of the trial judge was unreasonable.

Droit pénal - Preuve - Agression sexuelle alléguée - Plaignant enfant - Verdict déraisonnable - La Cour d'appel du Manitoba a-t-elle commis une erreur de droit en trouvant que le verdict du juge de première instance était déraisonnable.

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## DEADLINES: MOTIONS

## DÉLAIS: REQUÊTES

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### 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

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## 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<sup>er</sup> 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					

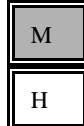
MAY - MAI						
S D	M L	T M	W M	T J	F V	S S
		1	2	3	R 4	R 5
R 6	7	8	9	10	11	12
13	M 14	15	16	17	18	19
20	H 21	22	23	24	25	26
27	28	29	30	31		

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