

**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**

D.C.

D.C.

c. (29116)

T.D. (Qué.)

Vera Mesenzew
Azran & Associés

DATE DE PRODUCTION 1.3.2002

Mr. Pawn Ltd.

Sidney Green, Q.C.

v. (29105)

The City of Winnipeg (Man.)

Ursula B. Goeres
City of Winnipeg

FILING DATE 7.3.2002

Richard Wayne Gillingham

Roger P. Thirkell
Thirkell & Company

v. (29065)

The United States of America (B.C.)

Kenneth J. Yule
A.G. of Canada

FILING DATE 12.2.2002

Harel, Drouin & Associés

Sylvain Lussier
Desjardins Ducharme Stein Monast

c. (29122)

Jean-Guy Vidal (Qué.)

Pierre Sylvestre
Sylvestre Charbonneau Fafard & Associés

DATE DE PRODUCTION 12.3.2002

Michel Laflamme

Martin Tremblay

c. (29123)

Sa Majesté la Reine (Qué.)

Germain Martin
P.G. du Québec

DATE DE PRODUCTION 14.3.2002

Allison Bernard, Jr.

Bruce H. Wildsmith, Q.C.

v. (29124)

Her Majesty the Queen (N.S.)

William D. Delaney
A.G. of Nova Scotia

FILING DATE 14.3.2002

Stamicarbon B.V.

A. David Morrow
Smart & Biggar

v. (29127)

Urea Casale S.A. (F.C.)

Douglas N. Deeth
Deeth Williams Wall

FILING DATE 18.3.2002

Jean Piché

Michel Aubin

c. (29125)

Sa Majesté la Reine (Qué.)

Carole Lebeuf
P.G. du Québec

DATE DE PRODUCTION 18.3.2002

Manuel Emilio Melgarejo-Gomez

Josiah Wood, Q.C.
Blake, Cassels & Graydon

v. (29126)

Rajinder Singh Sidhu (B.C.)

Alison L. Murray
Dickson, Murray

FILING DATE 18.3.2002

Dr. Kenneth C.L. Wu

Mark M. Skorah
Skorah Doyle Khanna

v. (29129)

Greta Holsten (B.C.)

John N. Laxton, Q.C.
Laxton & Company

FILING DATE 21.3.2002

**Ed Dick, also known as Edward Dick, also known
as Edward : Dick**

Edward Dick

v. (29128)

Her Majesty the Queen (B.C.)

Pamela Meneguzzi
A.G. of Canada

FILING DATE 22.3.2002

Le Procureur général du Québec

Gilles Laporte
P.G. du Québec

c. (29121)

Sébastien Beauchamps, et autres (Qué.)

François Bordeleau

DATE DE PRODUCTION 25.3.2002

M.T., et al.

Julius H. Grey
Grey Casgrain

v. (29132)

A.T. (Que.)

Linda Schachter
L. Schachter & Associés

FILING DATE 28.3.2002

**Phil Lajeunesse, operating as "Prince Albert
Northern Bus Repair" (Northern Bus Repair
Centre Inc.)**

Peter V. Abrametz
Eggum, Abrametz & Eggum

v. (29070)

**Wahpeton Dakota First Nation and Lorne
Waditaka (Sask.)**

Dwayne J. Stonechild
Angus, Stonechild & Racine

FILING DATE 28.3.2002

**Commission de la santé et de la sécurité du
travail**

Jean-Marie Robert
Panneton, Lessard

c. (29117)

**Compagnie de chemin de fer Canadien Pacifique
(Qué.)**

Robert M. Skelly
Fasken, Martineau, DuMoulin

DATE DE PRODUCTION 28.3.2002

**Commission de la santé et de la sécurité du
travail**

Jean-Marie Robert
Panneton, Lessard

c. (29119)

Purolator Courrier Ltée (Qué.)

Robert M. Skelly
Fasken, Martineau, DuMoulin

DATE DE PRODUCTION 28.3.2002

Daniel Armaly
Daniel Armaly

v. (29130)

**Parole Service, Correctional Service Canada and
the National Parole Board (Alta.)**

Rick Garvin
A.G. of Canada

FILING DATE 3.4.2002

Pearl Winnifred Pearl, et al.

Raymond Wagner
Wagner & Associates

v. (29094)

The Attorney General of Canada, et al. (N.S.)

John Ashley, Q.C.
A.G. of Canada

FILING DATE 18.3.2002

Simeon Hogan

William H. Watts

v. (29133)

Her Majesty the Queen (N.B.)

Robert J. Frater
A.G. of Canada

FILING DATE 27.3.2002

- and between -

Kevin Michael Mailman

Martin D. Fineberg
Mosher Chedore

v. (29133)

Her Majesty the Queen (N.B.)

Robert J. Frater
A.G. of Canada

FILING DATE 27.3.2002

- and between -

Nathan Gionet

Margaret Gallagher

v. (29133)

Her Majesty the Queen (N.B.)

Robert J. Frater
A.G. of Canada

FILING DATE 28.3.2002

Ellen LaBelle

Ellen LaBelle

v. (29120)

Attorney General for Ontario (Ont.)

Walter Myrka
A.G. for Ontario

FILING DATE 2.4.2002

City of Regina

Barry W. Wilson
City of Regina

v. (29138)

Empringham Catering Services Ltd. (Sask.)

Robert P. Hrycan
Balfour, Moss

FILING DATE 21.3.2002

Dr. Ralph Christensen

David P. Roberts, Q.C.
Campney & Murphy

v. (29139)

Lorraine Sinclair, et al. (B.C.)

Gary V. Lauk, Q.C.
Lauk La Liberté

FILING DATE 25.3.2002

Kevin Shapwaykeesic

Keith E. Wright

v. (29141)

Her Majesty the Queen (Ont.)

Alexander Alvaro
A.G. for Ontario

FILING DATE 26.3.2002

The Ontario Public Service Employees Union

Linda R. Rothstein
Paliare Roland Rosenberg Rothstein

v. (29135)

The Attorney General of Ontario (Ont.)

Robert Earl Charney
A.G. for Ontario

FILING DATE 4.4.2002

Stephen M. Byer

Stephen M. Byer

v. (29134)

The Bar of Montreal (Que.)

Maurice Boileau
Barreau de Montréal

FILING DATE 5.4.2002

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

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

APRIL 8, 2002 / LE 8 AVRIL 2002

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

Attorney General of Canada

v. (28936)

Stephen O. Youngman and Paul Gaster (Crim.) (B.C.)

NATURE OF THE CASE

Canadian Charter - Criminal - Criminal Law - Whether ss. 487 and 488.1 of the Criminal Code are in breach of ss. 7 or 8 of Charter.

PROCEDURAL HISTORY

March 10, 2000 Supreme Court of British Columbia (Romilly J.)	Declaration s. 488.1 of the <i>Criminal Code</i> unconstitutional and of no force and effect; Declaration s. 487 constitutional
November 5, 2001 Court of Appeal for British Columbia (Prowse, Donald and Newbury [<i>dissenting</i>] JJ.A.)	Appeal with respect to s. 488.1 dismissed; Cross-appeal with respect to s. 487 allowed in part, s. 487 declared unconstitutional, words read into s. 487
December 11, 2001 Supreme Court of Canada	Application for leave to appeal filed
January 10, 2002 Supreme Court of Canada	Application for leave to cross-appeal filed by Paul Gaster

Attorney General of Canada

v. (28937)

Eric Emerson Huber (Crim.) (B.C.)

NATURE OF THE CASE

Canadian Charter - Criminal - Criminal Law - Whether ss. 487 and 488.1 of the Criminal Code are in breach of ss. 7 or 8 of Charter.

PROCEDURAL HISTORY

March 10, 2000 Supreme Court of British Columbia (Romilly J.)	Declaration s. 488.1 of the <i>Criminal Code</i> unconstitutional and of no force and effect; Declaration s. 487 constitutional
November 5, 2001 Court of Appeal for British Columbia (Prowse, Donald and Newbury [<i>dissenting</i>] JJ.A.)	Appeal with respect to s. 488.1 dismissed; Cross-appeal with respect to s. 487 allowed in part, s. 487 declared unconstitutional, words read into s. 487
December 11, 2001 Supreme Court of Canada	Application for leave to appeal filed

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

Kevin H. Grotheim

v. (29009)

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

NATURE OF THE CASE

Canadian Charter - Criminal - Criminal law - Warrantless arrest - Dwelling house - Arbitrary detention - Duty to provide reasons - Powers of peace officers to make warrantless arrests in dwelling-houses - Whether the Applicant's rights under ss. 7, 8 and primarily 9 of the Charter were breached - Whether the lower courts failed to recognize and apply those rights - Whether the trial judge had a duty to provide reasons and analysis for his decision - Whether the failure to adequately do so constitutes reversible error.

PROCEDURAL HISTORY

April 27, 2000 Provincial Court of Saskatchewan (Finley P.C.J.)	Applicant convicted operating a motor vehicle while impaired under s. 253(b) of the <i>Criminal Code</i>
December 21, 2000 Court of Queen's Bench of Saskatchewan (Laing J.)	Appeal allowed; conviction quashed
November 13, 2001 Court of Appeal for Saskatchewan (Cameron, Sherstobitoff and Jackson JJ.A.)	Appeal allowed; conviction restored
January 15, 2002 Supreme Court of Canada	Application for leave to appeal filed
January 23, 2002 Supreme Court of Canada (Major J.)	Motion to extend time granted

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

Melvin P. Deutsch

v. (29032)

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

NATURE OF THE CASE

Canadian Charter - Criminal - Criminal Law - Whether a person must be first found guilty after trial before determining if rights violated - Whether a solicitor can represent co-defendants with different interests - Whether persons in every province have the same right to speedy trials - Whether a bilingual person may be denied right to a french trial solely on the grounds that he or she speaks and understands English - Whether disclosure denied - Whether Court of Appeal for Ontario err with respect to findings of lower court - Whether Crown can the proceed with charges when the original information had been withdrawn and defendant not arraigned on the new information - Was the applications judge in error to state that an application had no merit only because the applicant did not retain counsel- Whether Crown improperly contacted applicant's former counsel - Whether Court of Appeal required to see that the courts and all its offices are handicapped accessible - Whether persons in Canada have the same rights as United States citizens to protection of the court - Whether Crown may proceed on matters originally stated they had withdrawn.

PROCEDURAL HISTORY

June 25, 2001 Superior Court of Justice (O'Driscoll J.)	Application dismissed
December 17, 2001 Court of Appeal for Ontario (McMurtry C.J., Rosenberg, MacPherson JJ.A.)	Appeal dismissed
January 21, 2002 Supreme Court of Canada	Application for leave to appeal filed

The Estate of Claude John, et al.

v. (28739)

Eaton Yale Ltd. (Ont.)

AND BETWEEN:

Shawn Flynn

v.

Eaton Yale Ltd. (Ont.)

NATURE OF THE CASE

Torts - Damages - Motor vehicles - Negligence - Statutes - Interpretation - Employee becoming intoxicated partly during work hours on employer's premises and partly outside of work hours away from workplace - No observable signs of intoxication - Employee driving motor vehicle home safely at end of shift and arriving without incident - Employee driving again shortly thereafter causing accident and personal injury to third party - Employer having notice of employee's alcoholism - Whether employer owing duty of care to third parties suffering injuries as a result of negligent driving of intoxicated employee - If employer liable, whether employer permitted to deduct collateral benefits paid by victims' insurer from damages award, as provided under no fault statutory scheme - *Insurance Act*, R.S.O. 1990, c. I.8, s. 267(1).

PROCEDURAL HISTORY

September 1, 2000
Superior Court of Justice
(Donnelly J.)

Order awarding applicants, Claude and Rose John, damages in the amount of \$620,052.88; jury apportioned 70 per cent liability as against the applicant, Flynn, and 30 per cent as against the respondent Eaton Yale

July 28, 2001
Court of Appeal for Ontario
(Finlayson, Weiler and Goudge JJ.A.)

Appeal brought by Eaton Yale allowed; cross-appeal brought by Claude and Rose John dismissed

August 16, 2001
Supreme Court of Canada

Application for leave to appeal filed, the Estate of Claude John and Rose John, applicants

September 25, 2001
Supreme Court of Canada

Application for leave to appeal filed, Shawn Flynn, applicant

APRIL 11, 2002 / LE 11 AVRIL 2002

29055 M.L. - c. - A.C. (Qué.) (Civile)

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

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

The application for leave to appeal is dismissed with costs.

NATURE DE LA CAUSE

Droit de la famille — Union de fait entre le demandeur et l'intimée — Pension alimentaire payable par le demandeur pour le bénéfice de l'enfant né pendant l'union de fait — Législation — Interprétation — Code civil — Prescription d'un droit résultant d'un jugement — *Code civil du Québec*, L.Q. 1991, ch. 64, art. 2924 — Quelle est la prescription applicable à une ordonnance alimentaire intérimaire? — La jurisprudence de la Cour supérieure et de la Cour d'appel en la matière manque-t-elle d'uniformité? — Le juge de première instance a-t-il erré en intervenant sur des questions de fait et de crédibilité?

HISTORIQUE PROCÉDURAL

Le 5 juillet 2001
Cour supérieure du Québec
(Léger, j.c.s.)

Requête du demandeur en annulation de pension alimentaire et d'arrérages, accueillie ; pension alimentaire payable par le demandeur aux termes du jugement du 19 octobre 1990 annulée rétroactivement

Le 12 décembre 2001
Cour d'appel du Québec
(Mailhot, Dussault et Thibault, jj.c.a.)

Appel accueilli ; jugement de première instance, annulé ; requête en annulation pour partie, accueillie ; pension alimentaire annulée pour les périodes avant janvier 1991 et entre le 1^{er} octobre 1998 et le 31 août 1999

Le 11 février 2002
Cour suprême du Canada

Demande d'autorisation d'appel déposée

28832 BMW Canada Inc. et Alain Laforest - c. - Automobile Jalbert Inc. (Qué.) (Civile)

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

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

The application for leave to appeal is dismissed with costs.

NATURE DE LA CAUSE

Droit commercial - Contrats - Interprétation - En matière de contrat de franchise automobiles, un manufacturier a-t-il le droit de ne pas renouveler sa relation commerciale avec son franchisé à l'échéance du contrat de franchise? - Les nouveaux contrats de franchise offerts à l'intimée comportent-ils des clauses abusives qui justifiaient celle-ci de ne pas y concourir et, dans l'affirmative, la demanderesse était-elle en droit de mettre un terme à sa relation commerciale avec son franchisé à échéance le 31 juillet 2000?

HISTORIQUE PROCÉDURAL

Le 9 mars 2001
Cour supérieure du Québec
(Bédard j.c.s.)

Action en injonction permanente de l'intimée rejetée, demande de remise des "Facility Funds" rejetée et réclamation de dommages de 50 000 \$ au demandeur Laforest rejetée; action en injonction permanente de BMW Canada Inc. accueillie

Le 18 juillet 2001
Cour d'appel du Québec
(Michaud j.c.q., Forget et Rochette jj.c.a.)

Appel accueilli: BMW Canada Inc. condamnée à payer à l'intimée 72 000 \$ avec intérêts et indemnité additionnelle; action en injonction permanente de BMW Canada Inc. rejetée; action en injonction permanente de l'intimée accueillie en partie

Le 1 octobre 2001
Cour suprême du Canada

Demande d'autorisation d'appel déposée

29029 **T.M.B. - v. - Children's Aid Society of Halifax and S.M.R.** (N.S.) (Civil)

CORAM: Gonthier, Major and LeBel JJ.

The application for an extension of time is denied with costs to the Children's Aid Society of Halifax. Had the application for leave to appeal been made in time, it would nevertheless have been dismissed.

La demande de prorogation de délai est refusée, avec dépens à la Société de l'aide à l'enfance d'Halifax. Si la demande d'autorisation d'appel avait été présentée dans les délais requis, elle aurait néanmoins été rejetée.

NATURE OF THE CASE

Family law - Infants - Child protection proceedings - Child in custody and care of agency - Permanent placement required - Whether the Court of Appeal erred in failing to properly consider a family placement as required by s. 42(3) of the *Children and Family Services Act*, R.S.N.S. 1990, c. 5 - Whether the Court of Appeal erred in failing to find that there is a duty on the Children's Aid Society to investigate the possibility of a family placement in child protection proceedings.

PROCEDURAL HISTORY

January 12, 2001
Supreme Court of Nova Scotia
(Family Division)
(Campbell J.)

Permanent care and custody of child granted to the Respondent, Children's Aid Society of Halifax

June 15, 2001
Nova Scotia Court of Appeal
(Saunders, Roscoe E.A., Bateman N.J.)

Appeal dismissed

January 29, 2002
Supreme Court of Canada

Application for leave to appeal motion to extend time filed by Applicant

February 22, 2002
Supreme Court of Canada

Motion to admit new evidence filed by Respondent

28985 **H.M.V. - v. - Her Majesty the Queen** (Ont.) (Criminal)

CORAM: Gonthier, Major and LeBel JJ.

The application for leave to appeal is dismissed.

La demande d'autorisation d'appel est rejetée.

NATURE OF THE CASE

Criminal law - Evidence - Accused tried by a judge alone - Accused not testifying - Narrative evidence from complainant being admitted - Accused's statements being tendered by Crown - Whether trial judge erred in failing to consider Crown's evidence of Applicant's denials of any wrongdoing as defence evidence on the issue of guilt or innocence - Whether Court of Appeal erred in drawing a distinction between Crown's evidence in chief of denials by accused and evidence of denials by the accused when testifying in own defence - Whether trial judge erred in permitting the Crown to adduce evidence of prior consistent statements by complainant, through the complainant and five other witnesses, pursuant to the narrative exception to the rule against the admission of such evidence.

PROCEDURAL HISTORY

July 4, 2000 Ontario Superior Court of Justice (Desotti J.)	Applicant convicted of sexual assault, incest and sexual interference respectively contrary to ss. 271, 155 and 151 of the <i>Criminal Code</i>
August 24, 2000 Ontario Superior Court of Justice (Desotti J.)	Applicant sentenced to 30 months' imprisonment concurrent on each count
November 9, 2001 Court of Appeal for Ontario (Morden, Carthy and Moldaver JJ.A.)	Appeal against conviction allowed in part; convictions for sexual assault and sexual interference stayed; conviction for incest maintained; appeal from sentence dismissed as abandoned
December 20, 2001 Supreme Court of Canada	Application for leave to appeal filed

29011 Ngoc Oanh Le - v. - Her Majesty the Queen (B.C.) (Criminal)

CORAM: Gonthier, Major and LeBel JJ.

The application for leave to appeal is dismissed.

La demande d'autorisation d'appel est rejetée.

NATURE OF THE CASE

Charter - Criminal law - Offences - Search and seizure - Whether mere presence of a person in a dwelling house upon execution of a search warrant, without that person having previously been identified as being as involved in the offence alleged in the said warrant, is sufficient for a lawful arrest and search incidental thereto - Whether the convictions of the Applicant were unreasonable or unsupported by the evidence.

PROCEDURAL HISTORY

October 28, 1999
Provincial Court of British Columbia
(Baird-Ellan P.C.J.)

Conviction: three counts of unlawful possession of a controlled substance for the purpose of trafficking contrary to s. 5(2) of the *Controlled Drugs and Substances Act*

November 6, 2001
Court of Appeal of British Columbia
(Rowles, Prowse and Hall JJ.A.)

Appeal dismissed

January 2, 2002
Supreme Court of Canada

Application for leave to appeal filed

28756 **Lieb Waldman - v. - United States of America and Minister of Justice** (Ont.) (Criminal)

CORAM: Gonthier, Major and LeBel JJ.

The application for an extension of time is granted. The motion to adduce new evidence and the application for leave to appeal are dismissed.

La demande de prorogation de délai est accordée. La requête en dépôt de nouveaux éléments de preuve et la demande d'autorisation d'appel sont rejetées.

NATURE OF THE CASE

Canadian Charter of Rights and Freedoms - Criminal law - Extradition - Charges of bankruptcy fraud, perjury, and failure to surrender to serve sentence - Whether conduct alleged by the requesting state in relation to failing to surrender to serve a sentence constituting an offence in Canada - Whether "sufficient" evidence in relation to each of the constituent elements of the alleged offences - Whether Extradition justice without jurisdiction to entertain the *Charter* application - Whether *Charter* application without merit - Whether Minister of Justice properly exercised discretion in ordering the Applicant's surrender without obtaining appropriate assurance from the requesting state that Applicant would not be deported to Romania.

PROCEDURAL HISTORY

April 22, 1998
Ontario Court of Justice
(Morrison J.)

Applicant committed to surrender for extradition on charges of bankruptcy fraud, perjury and failure to surrender to serve sentence

September 9, 1998
Ontario Court of Justice
(Morrison J.)

Applicant's *Charter* application dismissed for lack of jurisdiction

August 9, 2001
Court of Appeal for Ontario

Appeal from order of committal dismissed; application

(Carthy, Charron JJ.A and McCombs [*ad hoc*] J.)

for judicial review of Minister of Justice's April 30, 1999
order of surrender dismissed

November 22, 2001
Supreme Court of Canada

Application for leave to appeal filed

March 1, 2002
Supreme Court of Canada
(Bastarache J.)

Motion to strike out material from affidavit of Susan von
Ohlen in Applicant's Application to Adduce Fresh
Evidence granted without prejudice to right of the
Applicant to file a motion to introduce fresh evidence

28370 **Ruth A. Laseur - v. - Workers' Compensation Board of Nova Scotia and Nova Scotia Workers'
Compensation Appeals Tribunal** (N.S.) (Civil)

CORAM: Gonthier, Major and LeBel JJ

The application for an extension of time is granted. The motion to expedite and the application for leave to cross-
appeal are dismissed.

La demande de prorogation de délai est accordée. La requête sollicitant l'audition rapide de la demande et la
demande d'autorisation d'appel incident sont rejetées.

28372 **Donald Martin - v. - Workers' Compensation Board of Nova Scotia and Nova Scotia Workers'
Compensation Appeals Tribunal** (N.S.) (Civil)

CORAM: Gonthier, Major and LeBel JJ

The application for an extension of time is granted. The motion to expedite and the application for leave to cross-
appeal are dismissed.

La demande de prorogation de délai est accordée. La requête sollicitant l'audition rapide de la demande et la
demande d'autorisation d'appel incident sont rejetées.

2.4.2002

Before / Devant: MAJOR J.

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

Requête en prorogation du délai imparti pour signifier et déposer la demande d'autorisation

J.P.M.

v. (29046)

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

GRANTED / ACCORDÉE

UPON APPLICATION by the Applicant for an order extending the time to serve and file an application for leave to appeal to May 15, 2002;

AND HAVING READ the material filed ;

IT IS HEREBY ORDERED THAT:

- 1) The application for a further extension of time to serve and file an application for leave to appeal to May 15, 2002 is granted.
 - 2) This order is final and no further extension of time shall be granted.
-

3.4.2002

Before / Devant: THE DEPUTY REGISTRAR

Motion to extend the time in which to serve and file the respondent's response

Requête en prorogation du délai imparti pour signifier et déposer la réponse de l'intimée

Christopher George Phillips

v. (28957)

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

GRANTED / ACCORDÉE Time extended to March 28, 2002.

3.4.2002

Before / Devant: THE DEPUTY REGISTRAR

Motion to extend the time in which to serve and file the response of the respondent Nova Scotia Department of Education

Requête en prorogation du délai imparti pour signifier et déposer la réponse de l'intimé Nova Scotia Department of Education

Phillip Ofume

v. (28956)

Nova Scotia Department of Education, et al. (N.S.)

GRANTED / ACCORDÉE Time extended to March 7, 2002.

3.4.2002

Before / Devant: THE DEPUTY REGISTRAR

Motion to extend the time in which to serve and file the respondent's response

Requête en prorogation du délai imparti pour signifier et déposer la réponse de l'intimée

Byron Cory Baker

v. (29035)

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

GRANTED / ACCORDÉE Time extended to March 28, 2002.

4.4.2002

Before / Devant: ARBOUR J.

Miscellaneous motion

Autre requête

Le procureur général du Québec

c. (28432)

Future Électronique Inc., et al. (Crim.)(Qué.)

REFERRED / RÉFÉRÉE

À LA SUITE DE LA DEMANDE de l'appelant, le Procureur général du Québec, visant à obtenir une ordonnance l'autorisant à poursuivre l'appel:

ET APRÈS AVOIR LU la documentation déposée;

ET ATTENDU que les intimés ont déposé une requête en annulation de l'appel;

L'ORDONNANCE SUIVANTE EST RENDUE;

La requête de l'appelant est référée au banc qui entendra la requête en annulation de l'appel le 15 avril 2002.

**NOTICE OF APPEAL FILED SINCE
LAST ISSUE**

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

18.3.2002

**District of Parry Sound Social Services
Administration Board**

v. (28819)

**Ontario Public Service Employees Union, Local
324, Paula Knopf, et al. (Ont.)**

**NOTICE OF DISCONTINUANCE
FILED SINCE LAST ISSUE**

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

5.4.2002

Riccardo DiGiuseppe

v. (29057)

Her Majesty the Queen (Ont.)

(appeal)

5.4.2002

**Ontario Corporate Number 102856, operating as The
Brass Rail Tavern, Limited, et al.**

v. (29059)

Her Majesty the Queen (Ont.)

(appeal)

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 13, 2002**
Service : April 22, 2002
Filing : April 26, 2002
Respondent : May 3, 2002

Motion day : **June 10, 2002**
Service : May 17, 2002
Filing : May 24, 2002
Respondent : May 31, 2002

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 : **13 mai 2002**
Signification : 22 avril 2002
Dépôt : 26 avril 2002
Intimé : 3 mai 2002

Audience du : **10 juin 2002**
Signification : 17 mai 2002
Dépôt : 24 mai 2002
Intimé : 31 mai 2002

DEADLINES: APPEALS

The Spring Session of the Supreme Court of Canada will commence April 15, 2002.

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 du printemps de la Cour suprême du Canada commencera le 15 avril 2002.

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.

Veuillez 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.

THE STYLES OF CAUSE IN THE PRESENT TABLE ARE THE STANDARDIZED STYLES OF CAUSE (AS EXPRESSED UNDER THE "INDEXED AS" ENTRY IN EACH CASE).

Judgments reported in [2001] 2 S.C.R. Part 4

Ivanhoe Inc. v. UFCW, Local 500,
[2001] 2 S.C.R. 565, 2001 SCC 47

Sept-Îles (City) v. Quebec (Labour Court),
[2001] 2 S.C.R. 670, 2001 SCC 48

Monenco Ltd. v. Commonwealth Insurance Co.,
[2001] 2 S.C.R. 699, 2001 SCC 49

Marcoux v. Bouchard, [2001] 2 S.C.R. 726,
2001 SCC 50

Judgments reported in [2001] 2 S.C.R. Part 5

Lac d'Amiante du Québec Ltée v. 2858-0702 Québec Inc., [2001] 2 S.C.R. 743, 2001 SCC 51

Ocean Port Hotel Ltd. v. British Columbia (General Manager, Liquor Control and Licensing Branch), [2001] 2 S.C.R. 781, 2001 SCC 52

R. v. Russell, [2001] 2 S.C.R. 804, 2001 SCC 53

R. v. Arcuri, [2001] 2 S.C.R. 828, 2001 SCC 54

Berendsen v. Ontario, [2001] 2 S.C.R. 849,
2001 SCC 55

R. v. Ulybel Enterprises Ltd., [2001] 2 S.C.R. 867,
2001 SCC 56

Saint-Romuald (City) v. Olivier, [2001] 2 S.C.R. 898,
2001 SCC 57

LES INTITULÉS UTILISÉS DANS CETTE TABLE SONT LES INTITULÉS NORMALISÉS DE LA RUBRIQUE "RÉPERTORIÉ" DANS CHAQUE ARRÊT.

Jugements publiés dans [2001] 2 R.C.S. Partie 4

Ivanhoe Inc. c. TUAC, section locale 500,
[2001] 2 R.C.S. 565, 2001 CSC 47

Sept-Îles (Ville) c. Québec (Tribunal du travail),
[2001] 2 R.C.S. 670, 2001 CSC 48

Monenco Ltd. c. Commonwealth Insurance Co.,
[2001] 2 R.C.S. 699, 2001 CSC 49

Marcoux c. Bouchard, [2001] 2 R.C.S. 726,
2001 CSC 50

Jugements publiés dans [2001] 2 R.C.S. Partie 5

Lac d'Amiante du Québec Ltée c. 2858-0702 Québec Inc., [2001] 2 R.C.S. 743, 2001 CSC 51

Ocean Port Hotel Ltd. c. Colombie-Britannique (General Manager, Liquor Control and Licensing Branch), [2001] 2 R.C.S. 781, 2001 CSC 52

R. c. Russell, [2001] 2 R.C.S. 804, 2001 CSC 53

R. c. Arcuri, [2001] 2 R.C.S. 828, 2001 CSC 54

Berendsen c. Ontario, [2001] 2 R.C.S. 849,
2001 CSC 55

R. c. Ulybel Enterprises Ltd., [2001] 2 R.C.S. 867,
2001 CSC 56

Saint-Romuald (Ville) c. Olivier, [2001] 2 R.C.S. 898,
2001 CSC 57

SUPREME COURT OF CANADA SCHEDULE
CALENDRIER DE LA COUR SUPREME

- 2001 -

OCTOBER - OCTOBRE						
S D	M L	T M	W M	T J	F V	S S
	M 1	2	3	4	5	6
7	H 8	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	M 5	6	7	8	9	10
11	H 12	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	M 3	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					

- 2002 -

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	M 14	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	M 11	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	M 11	12	13	14	15	16
17	18	19	20	21	22	23
24 31	25	26	27	28	H 29	30

APRIL - AVRIL						
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				

MAY - MAI						
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	M 13	14	15	16	17	18
19	H 20	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	M 10	11	12	13	14	15
16	17	18	19	20	21	22
23 30	24	25	26	27	28	29

Sittings of the court:
Séances de la cour:

Motions:
Requêtes:

Holidays:
Jours fériés:



18 sitting weeks / semaines séances de la cour

79 sitting days / journées séances de la cour

9 motion and conference days / journées requêtes, conférences

2 holidays during sitting days / jours fériés durant les sessions