

SUPREME COURT OF CANADA



COUR SUPRÊME DU CANADA

BULLETIN OF PROCEEDINGS

BULLETIN DES PROCÉDURES

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APPLICATIONS FOR LEAVE TO APPEAL FILED

General Motors of Canada Limited

Joseph M. Steiner
Osler, Hoskin & Harcourt

v. (30668)

Her Majesty the Queen (F.C.)

Alexandra K. Brown
A.G. of Canada

FILING DATE: 28.01.2005

Case Enterprises Ltd.

Joseph E. Weir

v. (30833)

**MacDonald Paving & Construction (1991) Ltd, et
al. (N.B.)**

Eric LeDrew
McInnes Cooper

FILING DATE: 18.03.2005

E. John Lechter

Leonard E. Seidman
Seal, Seidman

v. (30841)

Bank of Montreal (Que.)

Eric Simard
Fasken, Martineau, Dumoulin

FILING DATE: 18.03.2005

Michael Stewart Wooff

Leonard Levenscrown
Levenscrown Family Law Counsel

v. (30846)

Malgorzata Korutowska-Wooff (Ont.)

Malgorzata Korutowska-Wooff

FILING DATE: 22.03.2005

DEMANDES D'AUTORISATION D'APPEL DÉPOSÉES

William McNaught

Kirk F. Stevens
Lerners

v. (30842)

**The Toronto Transit Commission and its
Supervisors, et al. (Ont.)**

Douglas K. Gray
Hicks, Morley, Hamilton, Stewart Storie

FILING DATE: 24.03.2005

Mountain-West Resources Limited

Paul R. Bennett
Hordo & Bennett

v. (30844)

Michael Joseph Fitzgerald (B.C.)

Robert D. Holmes
Holmes & King

FILING DATE: 24.03.2005

Maria Sokolowska

Maria Sokolowska

v. (30847)

Her Majesty the Queen (F.C.)

Michael Roach
A.G. of Canada

FILING DATE: 24.03.2005

Sharon Dupuis

Ronald J. Ashfield, Q.C.
Law Society of New Brunswick

v. (30848)

The City of Moncton (N.B.)

Eric LeDrew
McInnes, Cooper

FILING DATE: 24.03.2005

Her Majesty the Queen

John H. Sims, Q.C.
A.G. of Canada

v. (30849)

Inco Limited (F.C.)

Warren J.A. Mitchell, Q.C.
Thorsteinssons

FILING DATE: 29.03.2005

Georgy Egoroff

Shannon K.C. Prithipaul
Gunn & Prithipaul

v. (30850)

Her Majesty the Queen (Alta.)

Susan D. Hughson, Q.C.
A.G. of Alberta

FILING DATE: 29.03.2005

Zubaida Muhammad

Alfred Schorr

v. (30851)

AGF Trust Company (Ont.)

Howard Reininger
Turkstra Mazza Associates

FILING DATE: 29.03.2005

Julie Laflamme

Sylvain Landry
Landry & Associés

c. (30854)

**L'Union-Vie, compagnie mutuelle d'assurance
(Qc)**

Raymond Clair
Clair, Laplante, Côté

DATE DE PRODUCTION: 31.03.2005

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

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

MARCH 31, 2005 / LE 31 MARS 2005

**CORAM: Chief Justice McLachlin and Binnie and Charron JJ.
La juge en chef McLachlin et les juges Binnie et Charron**

Her Majesty the Queen

v. (30662)

Peter Hugh Lyne Williams (Crim.) (B.C.)

NATURE OF THE CASE

Criminal Law (Non-Charter) - Procedural law - Appointment of counsel for accused - Whether unrepresented accused's inability to defend himself required trial judge to appoint defence counsel if accused had means to retain a lawyer but chose to represent himself.

PROCEDURAL HISTORY

June 27, 2002
Supreme Court of British Columbia
(Dorgan J.)

Application to stay proceedings dismissed

June 27, 2002
Supreme Court of British Columbia
(Taylor J.)

Respondent convicted on one count of rape and three counts of indecent assault contrary to sections 136 and 141 of the *Criminal Code*.

October 12, 2004
Court of Appeal for British Columbia
(Donald, Mackenzie and Levine JJ.A.)

Appeal allowed

December 9, 2004
Supreme Court of Canada

Application for leave to appeal filed

Darryl Paul Koppang

v (30770)

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

NATURE OF THE CASE

Criminal law - Evidence - Wiretaps - Whether Court of Appeal erred in overturning the trial judge's decision that there was insufficient evidence to support the issuance of a search warrant - Whether Court of Appeal erred in substituting its view of the facts for those of the trial judge and thereby apply the wrong standard of review.

PROCEDURAL HISTORY

September 25, 2003
Court of Queen's Bench of Alberta
(Verville J.)

Acquittal: production of and possession of marijuana

October 20, 2004
Court of Appeal of Alberta
(McClung, McFadyen, and Hunt JJ.A.)

Respondent's appeal allowed: acquittals set aside and new trial ordered

February 14, 2005
Supreme Court of Canada

Application for leave to appeal and motion for extension of time filed

March 21, 2005
Supreme Court of Canada

Application for oral hearing of leave application filed

The Diocese of Toronto Camps (Anglican Church of Canada)

v. (30697)

Municipal Property Assessment Corporation (Ont.)

NATURE OF THE CASE

Statutes - Interpretation - Taxation - Assessment - Appeal - Standard of Review - Care of children - Land used for care of children eligible for exemption from property taxation - Whether definition of care of children inconsistent with family law or creates uncertainty - Whether interpretive approach inconsistent with case law governing interpretation of taxation statutes or principles of statutory interpretation - Standard of appellate review.

PROCEDURAL HISTORY

December 6, 2001
Ontario Superior Court of Justice
(Matlow, J.)

Applicant's application for an exemption from property taxation dismissed

October 22, 2003
Ontario Superior Court of Justice
(Lane, Somers and Greer JJ.)

Appeal allowed; lands declared exempt from taxation pursuant to s. 3(1)11 of *Assessment Act*

November 3, 2004
Court of Appeal for Ontario
(Catzman, Doherty and Armstrong JJ.A.)

Appeal allowed

December 29, 2004
Supreme Court of Canada

Application for leave to appeal filed

Dow Chemical of Canada Limited

v. (30657)

Plas-Tex Canada Ltd., Plastex Pipeline Systems Ltd., Plastex Profiles Ltd., Plastex Extruders Ltd. and Jaycan Construction Ltd. (Alta.)

NATURE OF THE CASE

Commercial law - Torts - Contracts - Negligence - Exemption clauses - Damages - Lost profits - Applicant selling defective resin to pipeline companies knowing resin was defective and failing to warn - Contract containing exclusion clause limiting liability to selling price of resin - Categorizing economic loss: whether shoddy goods or contractual relational economic loss - Whether the Court of Appeal erred when it held the policy concern of indeterminate liability does not arise and positive policy considerations support finding a duty of care - Whether damages for economic losses suffered by those in a contractual relation with owners or users of a shoddy goods should be limited to cost of repairing the defect.

PROCEDURAL HISTORY

December 17, 2002
Court of Queen's Bench of Alberta
(McIntyre J.)

Applicant found liable in both contract and tort:
Respondents awarded pre-judgment sum of \$2, 784, 458.10, interest in the amount of \$1, 386, 620.40 and costs as a single entity

October 14, 2004
Court of Appeal of Alberta
(Conrad, O'Leary, Picard JJ.A.)

Appeal dismissed

December 13, 2004
Supreme Court of Canada

Application for leave to appeal filed

Telus Communications Inc.

v. (30698)

Delta Cable Communications Ltd., on behalf of itself and Coast Cable Communications Ltd., The Canadian Cable Television Association and Shaw Communications Inc.

v. (30698)

The Canadian Radio-Television and Telecommunications Commission (F.C.)

NATURE OF THE CASE

Administrative Law - Jurisdiction - Appeal - Whether the Canadian Radio-television and Telecommunications Commission has jurisdiction to adjust final rates and tariffs with retroactive effect - Whether Federal Court of Appeal erred in considering questions of law and jurisdiction not addressed.

PROCEDURAL HISTORY

August 13, 2003
Canadian Radio-television and
Telecommunications Commission

Respondent Shaw Communications Inc.'s application granted; Order 2000-13 varied to vary rates for four types of conduit

October 27, 2004
Federal Court of Appeal
(Décary, Létourneau and Nadon JJ.A.)

Appeal dismissed

December 23, 2004
Supreme Court of Canada

Application for leave to appeal filed

Paul-Émile Gallant

v. (30735)

Workplace Health, Safety and Compensation Commission of New Brunswick (N.B.)

NATURE OF THE CASE

Statutes - Interpretation - Whether the appellate court erred in upholding the decisions of the Appeals Tribunal on the determination of the Applicant's Canada Pension Plan Disability Pension which ought to be deducted from his Worker's Compensation benefits and erred in applying Section 38.91(1) of the *Workers' Compensation Act*, R.S.N.B., 1973, c. W-13 - Whether the appellate court erred in determining the level of benefits to which the Applicant was entitled, by application of Regulation 82-165 of the *Worker's Compensation Act*.

PROCEDURAL HISTORY

May 20, 2004
Appeals Tribunal
(LeBreton, Chairperson)

Appeal against the August 5th, 1999 Appeals Panel decision to deduct the Applicant's Canada Pension Plan Disability benefits from his Long Term Disability benefits denied; appeal against the May 12, 2003 decision of the Commission to deny the Applicant further Permanent Physical Impairment assessment, denied

November 25, 2004
Court of Appeal of New Brunswick
(Daigle, Robertson and Richard JJ.A.)

Appeal dismissed

January 21, 2005
Supreme Court of Canada

Application for leave to appeal filed

**André Arthur, André Arthur Communications Inc., Jean-François Fillion, Denis Gravel, Martin Paquet,
Genex Communications Inc. et Patrice Demers**

c. (30769)

Robert Gillet (Qc)

NATURE DE LA CAUSE

Procédure - Procédure civile - Requête en irrecevabilité - La Cour supérieure a-t-elle le pouvoir de suspendre des procédures civiles ou d'accorder toute autre forme de réparation à une partie pour protéger ses droits fondamentaux et l'intégrité du système judiciaire? - Le législateur a-t-il donné le pouvoir à la Cour d'appel de se saisir d'un jugement interlocutoire de la Cour supérieure pour d'autres motifs que ceux qui sont prévus aux articles 29 et 511 *C.p.c.*? - Pour déterminer si une demande est bien fondée, en vertu de l'art. 165.4 *C.p.c.*, les tribunaux doivent-ils, en présence d'un moyen de non-recevabilité, tenir pour vraies, les allégations de fait réel, de fait intangible et celles qui sont mixtes de fait

et de droit? - L'article 511 *C.p.c.* permet-il à la Cour d'appel de substituer sa décision à celle d'un juge de la Cour supérieure rejetant une requête en irrecevabilité? - La Cour d'appel a-t-elle commis une erreur en omettant de retourner l'affaire au juge de première instance pour qu'il épuise sa compétence plutôt que de trancher elle-même la question qu'elle a qualifiée de nouvelle et complexe? - La Cour d'appel a-t-elle commis une erreur en fondant sa décision d'une part, sur une conclusion inexistante dans la procédure des demandeurs, à savoir la disqualification de toute la Cour supérieure et d'autre part, en omettant d'examiner et de se prononcer sur les véritables conclusions de leur requête?

HISTORIQUE DES PROCÉDURES

Le 16 septembre 2004
Cour supérieure du Québec
(Le juge Babin)

Requête en irrecevabilité de l'intimé à l'encontre d'une
requête en suspension des procédures; rejetée

Le 15 décembre 2004
Cour d'appel du Québec
(Le juge en chef Robert, et les juges Gendreau et
Baudouin)

Appel accueilli; requête en irrecevabilité de l'intimé
accueilli

Le 11 février 2005
Cour suprême du Canada

Demande d'autorisation d'appel déposée

Le 9 mars 2005
Cour suprême du Canada

Requête en sursis déposée

Ontario Provincial Police

v. (30683)

A.L. Favretto (Ont.)

NATURE OF THE CASE

Administrative law — Appeal — Disciplinary matters — Police — Proper role of a second appellate tribunal reviewing an administrative appeal from a trier of fact in the first instance — Proper place of the principle of rehabilitation in police discipline cases.

PROCEDURAL HISTORY

October 26, 2000
Hearing Officer
(Fitches, Superintendent (retired))

Respondent dismissed from the Ontario Provincial Police
for discreditable conduct

February 13, 2002
Ontario Civilian Commission on Police Services
(Farrell and Culin, members)

Appeal allowed; penalty varied from dismissal to reduction
of rank for two years.

December 2, 2003
Ontario Superior Court of Justice,
Divisional Court
(O'Driscoll, Then and Benotto JJ.)

Appeal allowed; dismissal penalty reinstated.

October 20, 2004
Ontario Court of Appeal
(McMurtry C.J.O., Borins and Feldman J.J.A.)

Appeal allowed; dismissal order set aside and reduction of rank order reinstated.

December 20, 2004
Supreme Court of Canada

Application for leave to appeal filed

CORAM: Major, Fish and Abella JJ.
Les juges Major, Fish et Abella

W.S.

v. (30672)

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

NATURE OF THE CASE

Criminal law - Trial - Evidence - Whether Court of Appeal erred in concluding that similar act evidence was admissible in the circumstances of this case.

PROCEDURAL HISTORY

January 23, 2003
Ontario Superior Court of Justice
(Mossip J.)

Conviction: sexual assault and unlawful sexual touching

October 14, 2004
Court of Appeal for Ontario
(Labrosse, MacPherson and Cronk J.J.A.)

Appeal dismissed

December 20, 2004
Supreme Court of Canada

Application for leave to appeal and motion for extension of time filed

Kristoffer Wang

v. (30584)

Metropolitan Life Insurance Company (Ont.)

NATURE OF THE CASE

Commercial law - Insurance - In a life or disability insurance policy, do the undefined terms “accident” or “accidental” when used in a coverage clause preclude coverage for deaths caused by natural causes - Did the expectation test set down in *Martin v. American International Assurance Life Co.*, [2003] 1 S.C.R. 158 exclude injuries or death from natural causes? - When the term “illness” is used in an exclusion clause in a life and disability policy, does “illness” include an extremely rare complication of a normal biological process? - Where a motion judge on an agreed statement of facts applies the correct principle of law may an appellate court overturn its findings absent of palpable and overriding error?

PROCEDURAL HISTORY

October 16, 2003
Ontario Superior Court of Justice
(Sachs J.)

Determination of preliminary question of law: death of insured death held to be “accidental” pursuant to the accidental death benefit rider in the policy of insurance issued by the Respondent

August 31, 2004
Court of Appeal for Ontario
(Laskin J.A. (dissenting) and Charron and Armstrong JJ.A.)

Appeal allowed

December 30, 2004
Supreme Court of Canada

Application for leave to appeal filed

**Sandra Sullivan, James Januch and Catherine Januch by her Litigation Guardian,
Sandra Sullivan**

v. (30768)

Durham Regional Police Services Board (Ont.)

NATURE OF THE CASE

Canadian Charter - Civil - Enforcement - Action brought for damages arising from alleged violation of Applicant’s rights under ss. 8, 9 and 12 of Canadian Charter of Rights and Freedoms - Whether mala fides is a pre-requisite to the award of damages under s. 24(1) of Charter - Whether Supreme Court of Canada in R. v. Golden has left open any exception to its conclusion that “strip searches cannot be carried out as a matter of routine police department policy” - Whether consequences which may flow from a decision to detain bring into play principles of procedural fairness - Whether character evidence and concerns which are raised in criminal cases are also applicable to civil sphere.

PROCEDURAL HISTORY

March 5, 2003
Ontario Superior Court of Justice
(Jennings J.)

Applicants’ action dismissed

December 1, 2004
Court of Appeal for Ontario
(Goudge, Gillese and Juriansz JJ.A.)

Appeal dismissed

January 31, 2005
Supreme Court of Canada

Application for leave to appeal filed

Barrett MacDonald by his Litigation Guardians Claire MacDonald and Jerome MacDonald

v. (30676)

John McGrath (N.S.)

NATURE OF THE CASE

Torts - Motor Vehicles - Negligence - Whether the lower courts erred in admitting evidence which was statutorily prohibited - Whether the lower courts erred in admitting hearsay evidence - Whether the court of appeal erred in upholding the learned trial judge's decision wherein he relied on such hearsay and statutorily prohibited evidence to find unreliable the only independent material witness in the proceeding.

PROCEDURAL HISTORY

November 26, 2003
Supreme Court of Nova Scotia
(Richard J.)

Applicant's claim for damages dismissed with costs

October 14, 2004
Nova Scotia Court of Appeal
(Bateman, Cromwell and Oland JJ.A.)

Appeal dismissed with costs

December 13, 2004
Supreme Court of Canada

Application for leave to appeal filed

Heather Robertson

v. (30644)

The Thomson Corporation, Thomson Canada Limited, Thomson Affiliates, Information Access Company and Bell Globemedia Publishing Inc.

- and between -

The Thomson Corporation, Thomson Canada Limited, Thomson Affiliates, Information Access Company and Bell Globemedia Publishing Inc.

v. (30644)

Heather Robertson (Ont.)

NATURE OF THE CASE

Property law - Copyright - Statutes - Interpretation - Did the Ontario Court of Appeal err in finding that s. 13(4) of the *Copyright Act*, which requires that agreements assigning or granting proprietary interests in a copyright to be in writing, does not apply in this case as the right claimed was not proprietary - Did it err in concluding that the Applicant, as representative plaintiff under the *Class Proceedings Act, 1992*, has no standing to claim injunctive relief under s. 13(3) of the *Copyright Act* on behalf of class members - Did it fail to give effect to the express statutory mandate of media neutrality in s. 3(1) of the *Copyright Act* - Did it err in law in articulating a "form and function" test that conflicts with media neutrality - Did it err in law in ruling that the Respondents' rights to produce or reproduce its collective works in whole or substantial part, in any material form whatever, under s. 3(1) of the *Copyright Act* do not include the use of on-

line databases and CD-ROMs - Did it err in law in determining the scope of the publishers' copyright under s. 3(1) of the *Copyright Act* as it relates to collective works such as newspapers and magazines - Did it err in law in interpreting a "substantial part" of a collective work under the *Copyright Act* - Did it err in law in ruling that the on-line databases and CD-ROMs were not a reproduction, in whole or in substantial part, of the collective works in that they did not incorporate sufficient aspects of the collective works' selection and arrangement, when the of the *Copyright Act* only requires selection or arrangement - Did it err in law in applying *CCH Canadian Ltd. v. Law Society of Upper Canada*, [2004] 1 S.C.R. 339 - Did it err in law in ruling that each publication in the on-line databases and CD-ROMs is not a "newspaper, magazine or similar periodical" as required by s. 13(3) of the *Copyright Act*.

PROCEDURAL HISTORY

October 3, 2001
Ontario Superior Court of Justice
(Cumming J.)

Applicant's motion for partial summary judgment granting a permanent injunction, dismissed; Applicant's motion for trial of the issue, dismissed

October 6, 2004
Court of Appeal for Ontario
(Weiler, Gillese and Blair [*dissenting*] JJ.A.)

Applicant's appeal and Respondent's cross appeal, against the judgment of Cumming J. dated October 3, 2001, dismissed

December 2, 2004
Supreme Court of Canada

First application for leave to appeal filed by Heather Robertson: proper interpretation of *Copyright Act*; whether repre-sentative plaintiff has standing to assert claim for injunctive relief on behalf of class

December 3, 2004
Supreme Court of Canada

Second application for leave to appeal filed by Thomson Corporation: whether *Copyright Act* is media neutral

The Regional Municipality of Halifax, Halifax Regional Water Commission, and Carl Yates

v. (30719)

Marty David, Paul F. Williams, Maurice Allison Jr., M.C. Allison, Florence D. Smith, Dawn Marsman, Valmar Anderson, Sabrina Wellington, Victor A. Wellington, Cecilia Williams, Donald E. Anderson, Wendell David, Randall David, Myles Simms, Carolyn Allison, Spencer Anderson, Bertina Oliver, Clifford Oliver, Ruth Anderson, Dennis Oliver, Carl Marsman, Geneva Marsman, Ismaïd Kadir, Wayne Williams, Daniel Jackson, Charles Jackson, Alfaretta Williams, Raymond David, Neil H. Anderson, Wesley H. Anderson, Alfreda Anderson, Viola Marsman, Rhona Simms, Lynn David, Lilena Jones, Walter Jones, Ruby Oliver, Norma Marsman, Curtis Marsman, Doreen Mantley, Lillian Carvery, Goldie David, Leeman David, Jacqueline Cromwell, Maxwell Mantley; Douglas Oliver, Vera Gibson, Nelson Anderson, Marion Anderson, Esther Peterson, Clyde Oliver, Alden Oliver, Manual David, Russell David, Christopher F. Jones, Margaret Brushett, Tracy Kelsie, Brian David, Aubrey Whiley, Joyce Symonds, Yvonne Redmond, Carl Redmond, Clark Symonds, Audrey Symonds, Janell Simms, Daniel H. White, Lee A. Eisenhower-White, Frankie Allison, Alcora Norton, Daniel J. Norton, Diane Whiley, Wayne Radkey, Clarence Anderson; Buzzell Anderson, Barbara Borden, Kevin Emmerson, Mary Allison, Michelle Simms, Earle Oliver, Earlene Oliver, Melinda Simms, Holly David, Matuelder David, Ann David, Cornel Marsman, Shonna Smith and Milton B. Allison (N.S.)

NATURE OF THE CASE

Torts - Negligence - Misrepresentation - Should persons who deal with representatives of municipalities be presumed to know the statutory limit of authority of those representatives - Can municipal representatives give assurances to ratepayers which bind the political discretion and statutory power of elected councils.

PROCEDURAL HISTORY

August 12, 2003
Supreme Court of Nova Scotia, Trial Division
(Nathanson J.)

Applicants liable for negligent misrepresentations

November 18, 2004
Nova Scotia Court of Appeal
(Bateman, Freeman and Saunders JJ.A.)

Appeal allowed in part; Appeal allowed with respect to five residents of Anderson Court, otherwise appeal dismissed

January 14, 2005
Supreme Court of Canada

Application for leave to appeal filed

**Cinda Kennedy, Nelson Kennedy, Trevor Kennedy, Tyler Kennedy and Travis Kennedy by his Litigation
Guardian Cinda Kennedy**

v. (30756)

Allan Jackiewicz (Ont.)

NATURE OF THE CASE

Torts - Negligence - Procedural law - Appellate review - Medical malpractice action - Standard of care - Patient suffering burn injury to colon during surgery - Whether the trial judge must take a functional and pragmatic approach to how the standard of care is to be defined - Whether it is an error in law for the trial judge not to develop a standard of care when the inference is reasonably supported by the evidence at trial

PROCEDURAL HISTORY

May 13, 2003
Ontario Superior Court of Justice
(Gravelly J.)

Applicants' action against the Respondent dismissed

November 26, 2004
Court of Appeal for Ontario
(Laskin, Charron and Feldman JJ.A.)

Applicants' appeal dismissed

January 25, 2005
Supreme Court of Canada

Application for leave to appeal filed

The Nova Scotia Human Rights Commission and Dorothy Kateri Moore

v. (30690)

Play It Again Sports Ltd., Trevor Muller and Ronald Muller (N.S.)

NATURE OF THE CASE

Administrative law – Human rights – Discrimination – Harassment on basis of race – Aboriginal origin – Sex discrimination – Mi'kmaq woman bringing human rights complaint claiming she resigned employment as clerk in sporting goods store because of poisoned workplace environment – Store manager routinely using term “kemosabe” to greet

complainant and others – Complainant alleging discrimination on basis of sex and Aboriginal status – Whether reasonable employer should have known being called “kemosabe” would be offensive to Aboriginal employee – Whether nature of burden on employee to object to use of racial term depends upon whether term “notoriously offensive” – Standard to be applied in determining whether employee has been subject to racial harassment in workplace – Nova Scotia *Human Rights Act*, R.S.N.S. 1989, c. 214, as amended.

PROCEDURAL HISTORY

February 17, 2004
Board of Inquiry
(David J. MacDonald, Chair)

Applicants’ complaint of discrimination pursuant to section 5 (1)(d)(q) of the *Human Rights Act* dismissed

October 29, 2004
Nova Scotia Court of Appeal
(Glube C.J.N.S., Chipman and Hamilton JJ.A.)

Appeal dismissed

December 21, 2004
Supreme Court of Canada

Application for leave to appeal filed

United Food and Commercial Workers, Local 1400

v. (30634)

Westfair Foods Ltd. (Sask.)

NATURE OF THE CASE

Labour law – Labour relation – Collective agreement – Statutes – Interpretation – Unionized workers seeking statutory holiday pay under collective agreement for holiday falling during course of lawful strike – Whether collective agreement continues in effect during course of lawful strike – Are statutes governing organized labour-management relations throughout Canada inclusive regimes – What are the appropriate principles to be applied in interpreting the provisions of those legislative regimes – What standard of review ought to be applied to a collateral review of a decision of an administrative tribunal – *Trade Union Act*, R.S.S. 1978, c. T-17 [as am.].

PROCEDURAL HISTORY

March 12, 2003
(Priel, Arbitrator)

Collective agreement held to be in force during strike

September 18, 2003
Court of Queen’s Bench of Saskatchewan
(Barclay J.)

Application to quash arbitrator’s decision, allowed

September 15, 2004
Court of Appeal for Saskatchewan
(Vancise, Gerwing and Sherstobitoff JJ.A)

Appeal dismissed

November 10, 2004
Supreme Court of Canada

Application for leave to appeal filed

CORAM: Bastarache, LeBel and Deschamps JJ.
Les juges Bastarache, LeBel et Deschamps

Gabor L. Zsoldos

v. (30613)

Attorney General of Canada (F.C.)

NATURE OF THE CASE

Taxation - Assessment - Whether the Federal Court of Appeal erred in refusing to exercise its jurisdiction to review and reassess the Applicant's credibility and the Tax Court's judgment considering the Applicant's evidence - Whether the Federal Court of Appeal erred in law by basing its decision and order on an erroneous finding of fact without regard for the material before it - Whether the Federal Court of Appeal erred in law by not allowing the Applicant to have a transcript of the hearing.

PROCEDURAL HISTORY

August 21, 2001
Tax Court of Canada
(Beaubier J.T.C.C.)

Applicant's appeals against reassessments for taxation years 1995, 1996 and 1997 allowed; reassessments referred back to Minister of National Revenue for reconsideration and reassessment

October 8, 2004
Federal Court of Appeal
(Rothstein, Sharlow and Malone JJ.A.)

Applicant's application for judicial review dismissed

December 13, 2004
Supreme Court of Canada

Application for leave to appeal filed

February 9, 2005
Supreme Court of Canada

Motion to extend time within which to file and/or serve leave application filed

Ilona Zsoldos

v. (30614)

Attorney General of Canada (F.C.)

NATURE OF THE CASE

Taxation - Assessment - Whether the Federal Court of Appeal erred in refusing to exercise its jurisdiction to review and reassess the Applicant's credibility and the Tax Court's judgment considering the Applicant's evidence - Whether the Federal Court of Appeal erred in law by basing its decision and order on an erroneous finding of fact without regard for the material before it - Whether the Federal Court of Appeal erred in law by not allowing the Applicant to have a transcript of the hearing.

PROCEDURAL HISTORY

August 21, 2001
Tax Court of Canada
(Beaubier J.T.C.C.)

Applicant's appeal from the reassessments made under the *Income Tax Act* for the 1994, 1995, 1996 and 1997 taxation years, dismissed

October 8, 2004
Federal Court of Appeal
(Rothstein, Sharlow and Malone JJ.A.)

Application for judicial review dismissed

December 13, 2004
Supreme Court of Canada

Application for leave to appeal filed

February 9, 2005
Supreme Court of Canada

Motion to extend time within which to file and/or serve leave application filed

Gabor L. Zsoldos

v. (30705)

**Ontario Association of Architects, Hillel Roebuck, Brian Watkinson, Paul Martel, Frank Camenzuli,
Christopher Shepherd, David Croft and Charles Greenberg (Ont.)**

NATURE OF THE CASE

Administrative law - Judicial review - Bias - Whether the Court of Appeal for Ontario, by appointing Justice Goudge and Justice Lang to the panel of judges to hear the Applicant's motion, breached the principle of natural justice - Whether the Court of Appeal for Ontario erred by breaching the principle of natural justice that requires a procedurally fair hearing before an impartial decision maker - Whether the Court of Appeal for Ontario erred in failing to apply the civil standard of proof - Whether the Court of Appeal for Ontario, in dismissing the application, failed to consider relevant factors supporting the Applicant's claim.

PROCEDURAL HISTORY

May 13, 2002
Ontario Superior Court of Justice
(Wright J.)

Applicant's action stayed and dismissed motion

May 6, 2004
Court of Appeal for Ontario
(Juriansz J.A.)

Application for extension of time to appeal dismissed

November 5, 2004
Court of Appeal for Ontario
(Goudge, Feldman and Sharp JJ.A.)

Applicant's motion to set aside or vary decision to dismiss motion to extend time dismissed

January 5, 2005
Supreme Court of Canada

Application for leave to appeal filed

February 9, 2005
Supreme Court of Canada

Motion to extend time within which to file and/or serve leave application filed

NAV Canada

v. (30729)

Wilmington Trust Company and Wilmington Trust Corporation (Que.)

NATURE OF THE CASE

Statutes – Interpretation – *Airport Transfer (Miscellaneous Matters) Act*, R.S.C., c. A-10.4 (ATA) – *Civil Air Navigation Services Commercialization Act*, R.S.C., c. C-29.7 (CANSICA) – Whether the lower courts erred in construing the term “owner” in ss. 55(1) CANSICA for the purposes of determining liability for unpaid charges or fees – Whether the lower courts erred in interpreting the scope of the seizure and detention remedies under s. 56 CANSICA and s. 9 ATA with respect to the lessors/owners/legal titleholders of seized aircraft.

PROCEDURAL HISTORY

November 9, 2000
Superior Court of Quebec
(Tremblay J.)

Applicant’s action granted

November 15, 2004
Court of Appeal of Quebec
(Nuss [*dissenting*], Pelletier and Morissette JJ.A.)

Respondents’ appeal allowed; applicant’s cross-appeal and action dismissed

January 14, 2005
Supreme Court of Canada

Application for leave to appeal filed

NAV Canada

v. (30730)

G.I.E. Avions de transport régional, ATR Marketing Inc., Heather Leasing Ltd., Renaissance Leasing Corporation, Inter-Canadian (1991) Inc., Ernst & Young Inc., in its capacity as trustee for the bankruptcy of Inter-Canadian (1991) Inc. (Que.)

NATURE OF THE CASE

Statutes – Interpretation – *Airport Transfer (Miscellaneous Matters) Act*, R.S.C., c. A-10.4 (ATA) – *Civil Air Navigation Services Commercialization Act*, R.S.C., c. C-29.7 (CANSICA) – Whether the lower courts erred in construing the term “owner” in ss. 55(1) CANSICA for the purposes of determining liability for unpaid charges or fees – Whether the lower courts erred in interpreting the scope of the seizure and detention remedies under s. 56 CANSICA and s. 9 ATA with respect to the lessors/owners/legal titleholders of seized aircraft.

PROCEDURAL HISTORY

November 9, 2000
Superior Court of Quebec
(Tremblay J.)

Applicant’s action granted
Respondents’ appeal allowed;

November 15, 2004
Court of Appeal of Quebec
(Nuss [*dissenting*], Pelletier and Morissette JJ.A.)

Applicant’s cross-appeal and action dismissed

January 14, 2005
Supreme Court of Canada

Application for leave to appeal filed

NAV Canada

v. (30731)

Inter-Canadian (1991) Inc., Wilmington Trust Company, Wilmington Trust Corporation, Aéroports de Montréal, Greater Toronto Airports Authority, Ottawa Macdonald-Cartier International Airport Authority, Ernst & Young Inc., in its quality as trustee for the bankruptcy of Inter-Canadian (1991) Inc.

- and between -

Aéroports de Montréal

v. (30731)

Wilmington Trust Company, Wilmington Trust Corporation, NAV Canada, Greater Toronto Airports Authority, Ottawa Macdonald-Cartier International Airport Authority, Ernst & Young Inc., in its capacity as trustee for the bankruptcy of Inter-Canadian (1991) Inc.

- and between -

Greater Toronto Airports Authority

v. (30731)

Ottawa Macdonald-Cartier International Airport Authority, Wilmington Trust Company, Wilmington Trust Corporation, Aéroports de Montréal, NAV Canada, Ernst & Young Inc., in its capacity as trustee for the bankruptcy of Inter-Canadian (1991) Inc., Inter-Canadian (1991) Inc.

- and between -

Ottawa Macdonald-Cartier International Airport Authority

v. (30731)

Wilmington Trust Company, Wilmington Trust Corporation, Ernst & Young Inc., in its capacity as trustee for the bankruptcy of Inter-Canadian (1991) Inc. (Que.)

NATURE OF THE CASE

Statutes – Interpretation – *Airport Transfer (Miscellaneous Matters) Act*, R.S.C., c. A-10.4 (ATA) – *Civil Air Navigation Services Commercialization Act*, R.S.C., c. C-29.7 (CANSICA) – Whether the lower courts erred in construing the term “owner” in ss. 55(1) CANSICA for the purposes of determining liability for unpaid charges or fees – Whether the lower courts erred in interpreting the scope of the seizure and detention remedies under s. 56 CANSICA and s. 9 ATA with respect to the lessors/owners/legal titleholders of seized aircraft.

PROCEDURAL HISTORY

November 9, 2000
Superior Court of Quebec
(Tremblay J.)

Applicant NAV Canada's action granted; Applicant airport
authorities' actions granted

November 15, 2004
Court of Appeal of Quebec
(Nuss [*dissenting*], Pelletier and Morissette JJ.A.)

Respondent investors' appeal and motion for declaratory
judgment allowed; Applicants' cross-appeals and actions
dismissed

January 14, 2005
Supreme Court of Canada

Applications for leave to appeal filed

NAV Canada

v. (30732)

Inter-Canadian (1991) Inc., Renaissance Leasing Corporation, Heather Leasing Corporation, G.I.E. Avions de transport régional, ATR Marketing Inc., Ernst & Young Inc., in its capacity as trustee for the bankruptcy of Inter-Canadian (1991) Inc., Aéroports de Montréal, Greater Toronto Airports Authority, Ottawa Macdonald-Cartier International Airport Authority

- and between -

Aéroports de Montréal

v. (30732)

Renaissance Leasing Corporation, Heather Leasing Corporation, G.I.E. Avions de transport régional, ATR Marketing Inc., Ernst and Young Inc., in its capacity as trustee for the bankruptcy of Inter-Canadian (1991) Inc., NAV Canada, Greater Toronto Airports Authority, Ottawa Macdonald-Cartier International Airport Authority

- and between -

Greater Toronto Airports Authority

v. (30732)

Ottawa Macdonald-Cartier International Airport Authority, Renaissance Leasing Corporation, Heather Leasing Corporation, G.I.E. Avions de transport régional, ATR Marketing Inc., Aéroports de Montréal, NAV Canada, Ernst & Young Inc., in its capacity as trustee for the bankruptcy of Inter-Canadian (1991) Inc., Inter-Canadian (1991) Inc.

- and between -

Ottawa Macdonald-Cartier International Airport Authority

v. (30732)

Renaissance Leasing Corporation, Heather Leasing Corporation, G.I.E. Avions de transport régional, ATR Marketing Inc., Ernst & Young Inc., in its capacity as trustee for the bankruptcy of Inter-Canadian (1991) Inc. (Que.)

NATURE OF THE CASE

Statutes – Interpretation – *Airport Transfer (Miscellaneous Matters) Act*, R.S.C., c. A-10.4 (ATA) – *Civil Air Navigation Services Commercialization Act*, R.S.C., c. C-29.7 (CANSCA) – Whether the lower courts erred in construing the term “owner” in ss. 55(1) CANSCA for the purposes of determining liability for unpaid charges or fees – Whether the lower courts erred in interpreting the scope of the seizure and detention remedies under s. 56 CANSCA and s. 9 ATA with respect to the lessors/owners/legal titleholders of seized aircraft.

PROCEDURAL HISTORY

November 9, 2000
Superior Court of Quebec
(Tremblay J.)

Applicant NAV Canada’s action granted; Applicant airport authorities’ actions granted

November 15, 2004
Court of Appeal of Quebec
(Nuss [*dissenting*], Pelletier and Morissette JJ.A.)

Respondent investors’ appeal and motion for declaratory judgment allowed; Applicants’ cross-appeals and actions dismissed

January 14, 2005
Supreme Court of Canada

Applications for leave to appeal filed

Aéroports de Montréal

v. (30738)

Wilmington Trust Company, Wilmington Trust Corporation, Ernst and Young Inc., in its capacity as trustee for the bankruptcy of Inter-Canadian (1991) Inc. (Que.)

NATURE OF THE CASE

Statutes – Interpretation – *Airport Transfer (Miscellaneous Matters) Act*, R.S.C., c. A-10.4 (ATA) – Whether the lower courts erred in interpreting the scope of the seizure and detention remedies under s. 9 ATA with respect to the lessors/owners/legal titleholders of seized aircraft.

PROCEDURAL HISTORY

November 9, 2000
Superior Court of Quebec
(Tremblay J.)

Applicant’s action granted

November 15, 2004
Court of Appeal of Quebec
(Nuss [*dissenting*], Pelletier and Morissette JJ.A.)

Respondent investors' appeal allowed; applicant's cross-
appeal and action dismissed

January 14, 2005
Supreme Court of Canada

Application for leave to appeal filed

Aéroports de Montréal

v. (30740)

Newcourt Credit Group (Alberta) Inc., The Canada Life Assurance Company, Ernst and Young Inc., in its capacity as trustee for the bankruptcy of Inter-Canadian (1991) Inc., Renaissance Leasing Corporation (Que.)

NATURE OF THE CASE

Statutes – Interpretation – *Airport Transfer (Miscellaneous Matters) Act*, R.S.C., c. A-10.4 (ATA) – Whether the lower courts erred in interpreting the scope of the seizure and detention remedies under s. 9 ATA with respect to the lessors/owners/legal titleholders of seized aircraft.

PROCEDURAL HISTORY

November 9, 2000
Superior Court of Quebec
(Tremblay J.)

Applicant's action granted

November 15, 2004
Court of Appeal of Quebec
(Nuss [*dissenting*], Pelletier and Morissette JJ.A.)

Respondent investors' appeal allowed; applicant's cross-
appeal and action dismissed

January 14, 2005
Supreme Court of Canada

Application for leave to appeal filed

Aéroports de Montréal

v. (30742)

Newcourt Credit Group (Alberta) Inc., The Canada Life Assurance Company, CCG Trust Corporation, Greater London International Airport Authority, Greater Toronto Airports Authority, Saint John Airport Inc., St-John's International Airport Authority, Charlottetown Airport Authority Inc., Renaissance Leasing Corporation, Heather Leasing Corporation, and Ernst and Young Inc., in its capacity as trustee for the bankruptcy of Inter-Canadian (1991) Inc.

- and between -

St-John's International Airport Authority, Charlottetown Airport Authority Inc.

v. (30742)

Newcourt Credit Group (Alberta) Inc., The Canada Life Assurance Company, CCG Trust Corporation, Renaissance Leasing Corporation, Heather Leasing Corporation, Canadian Regional Airlines Ltd., Canadian Regional (1998) Ltd., and Ernst & Young Inc., in its capacity as trustee for the bankruptcy of Inter-Canadian (1991) Inc.

- and between -

Greater Toronto Airports Authority

v. (30742)

Greater London International Airport Authority, Saint John Airport Inc., St-John's International Airport Authority, Charlottetown Airport Authority Inc., Newcourt Credit Group (Alberta) Inc., The Canada Life Assurance Company, CCG Trust Corporation, Aéroports de Montréal, Renaissance Leasing Corporation, Heather Leasing Corporation, Canadian Regional Airlines Ltd., Canadian Regional (1998) Ltd., Ernst and Young Inc., in its capacity as trustee for the bankruptcy of Inter-Canadian (1991) Inc., and Inter-Canadian (1991) Inc. (Que.)

NATURE OF THE CASE

Statutes – Interpretation – *Airport Transfer (Miscellaneous Matters) Act*, R.S.C., c. A-10.4 (ATA) – Whether the lower courts erred in interpreting the scope of the seizure and detention remedies under s. 9 ATA with respect to the lessors/owners/legal titleholders of seized aircraft.

PROCEDURAL HISTORY

November 9, 2000
Superior Court of Quebec
(Tremblay J.)

Applicants' actions granted

November 15, 2004
Court of Appeal of Quebec
(Nuss [*dissenting*], Pelletier and Morissette JJ.A.)

Respondent investors' appeal allowed; applicants' cross-appeals and actions dismissed

January 14, 2005
Supreme Court of Canada

Applications for leave to appeal filed

Greater Toronto Airports Authority

v. (30743)

**Renaissance Leasing Corporation, Inter-Canadian (1991) Inc., Ernst & Young Inc., in its capacity as trustee
for the bankruptcy of Inter-Canadian (1991) Inc. (Que.)**

NATURE OF THE CASE

Statutes – Interpretation – *Airport Transfer (Miscellaneous Matters) Act*, R.S.C., c. A-10.4 (ATA) – Whether the lower courts erred in interpreting the scope of the seizure and detention remedies under s. 9 ATA with respect to the lessors/owners/legal titleholders of seized aircraft.

PROCEDURAL HISTORY

November 9, 2000
Superior Court of Quebec
(Tremblay J.)

Applicant’s action granted

November 15, 2004
Court of Appeal of Quebec
(Nuss [*dissenting*], Pelletier and Morissette JJ.A.)

Respondent investor’s appeal allowed; applicant’s cross-
appeal and action dismissed

January 14, 2005
Supreme Court of Canada

Application for leave to appeal filed

Greater Toronto Airports Authority

v. (30745)

**Newcourt Credit Group (Alberta) Inc., The Canada Life Assurance Company, CCG Trust Corporation,
Inter-Canadian (1991) Inc., Ernst & Young Inc., in its capacity as trustee for the bankruptcy of Inter-Canadian
(1991) Inc., and Renaissance Leasing Corporation (Que.)**

NATURE OF THE CASE

Statutes – Interpretation – *Airport Transfer (Miscellaneous Matters) Act*, R.S.C., c. A-10.4 (ATA) – Whether the lower courts erred in interpreting the scope of the seizure and detention remedies under s. 9 ATA with respect to the lessors/owners/legal titleholders of seized aircraft.

PROCEDURAL HISTORY

November 9, 2000
Superior Court of Quebec
(Tremblay J.)

Applicant’s action granted

November 15, 2004
Court of Appeal of Quebec
(Nuss [*dissenting*], Pelletier and Morissette JJ.A.)

Respondent investors’ appeal allowed; Applicant’s cross-
appeal and action dismissed

January 14, 2005
Supreme Court of Canada

Application for leave to appeal filed

Ottawa Macdonald-Cartier International Airport Authority

v. (30749)

**Wilmington Trust Company, Ernst & Young Inc., in its capacity as trustee of the bankruptcy of
Inter-Canadian (1991) Inc. (Que.)**

NATURE OF THE CASE

Statutes – Interpretation – *Airport Transfer (Miscellaneous Matters) Act*, R.S.C., c. A-10.4 (ATA) – Whether the lower courts erred in interpreting the scope of the seizure and detention remedies under s. 9 ATA with respect to the lessors/owners/legal titleholders of seized aircraft.

PROCEDURAL HISTORY

November 9, 2000
Superior Court of Quebec
(Tremblay J.)

Applicant's action granted

November 15, 2004
Court of Appeal of Quebec
(Nuss [*dissenting*], Pelletier and Morissette JJ.A.)

Respondent investor's appeal allowed; applicant's cross-appeal and action dismissed

January 14, 2005
Supreme Court of Canada

Application for leave to appeal filed

St-John's International Airport Authority

v. (30750)

Newcourt Credit Group (Alberta) Inc., The Canada Life Insurance Company, CCG Trust Corporation, Ernst and Young Inc., in its capacity as trustee for the bankruptcy of Inter-Canadian (1991) Inc., and Renaissance Leasing Corporation (Que.)

NATURE OF THE CASE

Statutes – Interpretation – *Airport Transfer (Miscellaneous Matters) Act*, R.S.C., c. A-10.4 (ATA) – Whether the lower courts erred in interpreting the scope of the seizure and detention remedies under s. 9 ATA with respect to the lessors/owners/legal titleholders of seized aircraft.

PROCEDURAL HISTORY

November 9, 2000
Superior Court of Quebec
(Tremblay J.)

Applicant's action granted

November 15, 2004
Court of Appeal of Quebec
(Nuss [*dissenting*], Pelletier and Morissette JJ.A.)

Respondent investors' appeal allowed; Applicant's cross-appeal and action dismissed

January 14, 2005
Supreme Court of Canada

Application for leave to appeal filed

Charlottetown Airport Authority Inc.

v. (30751)

CCG Trust Corporation, Ernst & Young Inc., in its capacity as trustee for the bankruptcy of Inter-Canadian (1991) Inc. (Que.)

NATURE OF THE CASE

Statutes – Interpretation – *Airport Transfer (Miscellaneous Matters) Act*, R.S.C., c. A-10.4 (ATA) – Whether the lower courts erred in interpreting the scope of the seizure and detention remedies under s. 9 ATA with respect to the lessors/owners/legal titleholders of seized aircraft.

PROCEDURAL HISTORY

November 9, 2000
Superior Court of Quebec
(Tremblay J.)

Applicant's action granted

November 15, 2004
Court of Appeal of Quebec
(Nuss [*dissenting*], Pelletier and Morissette JJ.A.)

CCG Trust Corporation's appeal allowed; Applicant's cross-appeal and action dismissed

January 14, 2005
Supreme Court of Canada

Application for leave to appeal filed

Citadelle, coopérative de producteurs de sirop d'érable

c. (30771)

Régie des marchés agricoles et alimentaires du Québec, Fédération des producteurs acéricoles du Québec, Union des producteurs agricoles, Produits alimentaires Jacques et Fils Inc., Maple Grove Farms of Vermont Inc. et Shady Maple Farms Ltd (Qc)

NATURE DE LA CAUSE

Droit constitutionnel - Droit administratif - Contrôle judiciaire - Décisions d'un tribunal administratif qui accordent à un office de production, par règlement, le statut d'agence de vente exclusive, qui créent, par règlement, des catégories d'acheteurs-transformateurs et qui régissent la mise en marché comme la disposition des surplus - La *Régie des marchés agricoles et alimentaires du Québec* a-t-elle outrepassé ses pouvoirs en les adoptant? - A-t-elle contrevenu à l'équité procédurale en n'entendant pas les parties intéressées? - La Cour d'appel du Québec a-t-elle méconnu la norme de contrôle applicable? - L'a-t-elle méconnue au point de contrevenir à la garantie constitutionnelle d'une possibilité réelle de contrôle? - Son refus de reconnaître l'entrave au coopératisme que constituent ces règlements et autres décisions est-il manifestement déraisonnable? - *Loi constitutionnelle de 1867*, art. 96 ss. - *Loi sur la mise en marché des produits agricoles*, L.R.Q. Ch. M-35.1 - *Loi sur les coopératives*, L.R.Q. ch. C-67.2, art. 3, 4, 27, 57, 194 et 200.

HISTORIQUE DES PROCÉDURES

Le 9 février 2004
Cour supérieure du Québec
(Le juge Goodwin)

Requête en révision judiciaire de trois décisions de la Régie des marchés agricoles et alimentaires du Québec rejetée

Le 3 décembre 2004
Cour d'appel du Québec
(Les juges Brossard, Dussault et Rousseau-Houle)

Pourvoi accueilli en partie; paragraphe 6.01e) des *Conventions de mise en marché du sirop d'érable* annulé; autres conclusions de la requête en révision judiciaire rejetées.

Le 1^{er} février 2005
Cour suprême du Canada

Demande d'autorisation d'appel déposée.

Produits alimentaires Jacques et fils Inc., Maple Grove Farms of Vermont Inc. et Shady Maple Farms Ltd.

c. (30772)

**Régie des marchés agricoles et alimentaires du Québec, Fédération des producteurs acéricoles du Québec,
L'Union des producteurs agricoles et citadelle, Coopérative de producteurs de sirop d'érable (Qc)**

NATURE DE LA CAUSE

Droit constitutionnel - Droit administratif - Contrôle judiciaire - Décisions d'un tribunal administratif qui accordent à un office de production, par règlement, le statut d'agence de vente exclusive, qui créent, par règlement, des catégories d'acheteurs-transformateurs et qui régissent la mise en marché comme la disposition des surplus - La *Régie des marchés agricoles et alimentaires du Québec* a-t-elle outrepassé ses pouvoirs? - A-t-elle contrevenu à l'équité procédurale en n'entendant pas les parties intéressées? - La Cour d'appel du Québec a-t-elle méconnu la norme de contrôle applicable? - L'a-t-elle méconnue au point de contrevenir à la garantie constitutionnelle d'une possibilité réelle de contrôle? - *Loi constitutionnelle de 1867*, art 96 ss. - *Loi sur la mise en marché des produits agricoles*, L.R.Q. ch. M-35.1.

HISTORIQUE DES PROCÉDURES

Le 9 février 2004
Cour supérieure du Québec
(Le juge Goodwin)

Requête en révision judiciaire des décisions de la Régie des marchés agricoles et alimentaires du Québec rejetée.

Le 3 décembre 2004
Cour d'appel du Québec
(Les juges Brossard, Dussault et Rousseau-Houle)

Pourvoi accueilli en partie; paragraphe 6.01e) des *Conventions de mise en marché du sirop d'érable* annulé; autres conclusions de la requête en révision judiciaire rejetées.

Le 1 février 2005
Cour suprême du Canada

Demande d'autorisation d'appel déposée.

APRIL 7, 2005 / LE 7 AVRIL 2005

30560 **2016596 Ontario Inc. v. Her Majesty the Queen in Right of Ontario as represented by The Minister of Natural Resources** (Ont.) (Civil) (By Leave)

Coram: Major, Fish and Abella JJ.

The application for leave to appeal from the judgment of the Court of Appeal for Ontario, Number C40486, dated September 28, 2004, is dismissed with costs.

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel de l'Ontario, numéro C40486, daté du 28 septembre 2004, est rejetée avec dépens.

NATURE OF THE CASE

Administrative law - Judicial review - Applicant seeking right to use Sand River Road - Whether the Lake Superior Park Management Plan 1995 permits passage over the Sand River Road - Park Superintendent determining vehicle access on the Sand River Road is not permitted for access to and from private property - Judicial review of decision of Park Superintendent - Whether, and if so, when, bureaucratic interpretations of prior exercises of statutory discretion (administrative decisions) are equivalent to administrative decisions - In setting down guidelines in this area, this Honourable Court can: clarify on what basis Canadians may find relief from bureaucratic actions, assist government, the public and private stakeholders in understanding the "rules of the game" set out in park management plans - are these plans articulations of exercises of statutory power or general statements of government intention which need not be followed or a combination of both.

PROCEDURAL HISTORY

April 4, 2003 Ontario Superior Court of Justice (Stortini J.)	Applicant's application for declaratory relief relating to access to Sand River Road granted
May 29, 2003 Ontario Superior Court of Justice (Macdonald J.)	Respondent's application for a stay dismissed
June 17, 2003 Ontario Superior Court of Justice (Caputo J.)	Respondent's motion dismissed by reason of <i>res judicata</i>
September 28, 2004 Court of Appeal for Ontario (Simmons J.A. and Lane J. [<i>ad hoc</i>] Armstrong J.A. [<i>dissenting</i>])	Appeal allowed and judicial review application dismissed; order of Stortini J. set aside
November 29, 2004 Supreme Court of Canada	Application for leave to appeal filed
February 1, 2005 Supreme Court of Canada	Motion for an extension of time granted to Respondent

30594 **Sam Stabile v. Lucia Milani, Rizmi Holdings Limited, Muccapine Investments Ltd., L.C.T. Holdings Inc. and Highland Beach Estate Holdings Inc. and Milani & Milani Holdings Limited**
(Ont.) (Civil) (By Leave)

Coram: Major, Fish and Abella JJ.

The application for an extension of time is granted and the application for leave to appeal from the judgment of the Court of Appeal for Ontario, Number C39376, dated June 30, 2004, is dismissed with costs.

La demande de prorogation de délai est accordée et la demande d'autorisation d'appel de l'arrêt de la Cour d'appel de l'Ontario, numéro C39376, daté du 30 juin 2004, est rejetée avec dépens.

NATURE OF THE CASE

Commercial law - Company law - Creditor and debtor - Oppression remedy - Appeals - Standard of review - Appropriate test to apply when determining corporate oppression as against creditors - How court should determine "reasonable expectations" component of test for oppression - Whether court should apply a different standard for "minor creditors" than that applied in respect of "major creditors" - Proper approach for courts of appeal when applying standard of review of palpable and overriding error in respect of findings of fact by a trial judge - *Business Corporations Act*, R.S.O. 1990, c. B.16, s. 248.

PROCEDURAL HISTORY

December 10, 2002
Ontario Superior Court of Justice
(Wright J.)

Rectification order in favour of the Applicant made pursuant to the oppression remedy contained in s. 248 of the *Business Corporations Act*

June 30, 2004
Court of Appeal for Ontario
(Weiler, Sharpe and Blair JJ.A.)

Appeal allowed; Judgment granted dismissing the action

October 28, 2004
Supreme Court of Canada

Application for leave to appeal filed

October 28, 2004
Supreme Court of Canada

Motion to extend time to file and/or serve application for leave to appeal filed

January 17, 2005
Supreme Court of Canada

Conditional application for leave to cross-appeal filed

30629 **Manley Tessler, Term Construction Limited, LDASK MBC Corporation v. Abe Kagal, Savon Gates Developments Ltd.** (Ont.) (Civil) (By Leave)

Coram: Major, Fish and Abella JJ.

The application for leave to appeal from the judgment of the Court of Appeal for Ontario, Number C39124, dated September 20, 2004, is dismissed with costs.

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel de l'Ontario, numéro C39124, daté du 20 septembre 2004, est rejetée avec dépens.

NATURE OF THE CASE

Commercial law – Contracts – Breach of contract – Remedies– Quantum of damages – Punitive Damages – Contract involving commercial development project – After being paid nothing and after development received municipal approvals and services, Respondent's employment terminated – Trial judge awarding damages for breach of contract calculated primarily according to contract provisions and not on *quantum meruit* basis – Applicant found not credible and punitive damages awarded for malicious, oppressive and high-handed misconduct – Court of Appeal upholding trial decision – Whether trial judge erred in assessing of damages for wrongful termination – Whether trial judge erred in relying upon findings of fact made in other unrelated proceedings in assessing credibility – Whether trial judge erred in awarding punitive damages.

PROCEDURAL HISTORY

October 16, 2002
Ontario Superior Court of Justice
(O'Driscoll J.)

Respondents' action for damages for breach of contract, granted; Respondents awarded \$1,173,960 in compensatory damages and \$150,000 punitive damages

September 20, 2004
Court of Appeal for Ontario
(MacPherson, Juriensz JJ.A. and Speyer J. [*ad hoc*])

Appeal dismissed

November 19, 2004
Supreme Court of Canada

Application for leave to appeal filed

30664 **Loba Limited v. Minister of National Revenue** (FC) (Civil) (By Leave)

Coram: **Major, Fish and Abella JJ.**

The application for leave to appeal from the judgment of the Federal Court of Appeal, Number A-537-03, dated October 13, 2004, is dismissed with costs.

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel fédérale, numéro A-537-03, daté du 13 octobre 2004, est rejetée avec dépens.

NATURE OF THE CASE

Taxation - Procedural law - Standard of review - Minister revoked registration of Applicant's pension plan - Appeal under s. 180 of *Income Tax Act*, R.S.C. 1985, c. 1 (5th Supp.) - No express statutory directive to defer to Minister's decision - Appeals under s. 180 are devoid of sworn evidence or findings of fact - Whether Federal Court of Appeal correctly determined that the appropriate standard was reasonableness.

PROCEDURAL HISTORY

October 13, 2004
Federal Court of Appeal
(Richard C.J., Sexton and Sharlow JJ.A.)

Appeal of Minister's decision to revoke registration of Applicant's pension plan, dismissed

December 10, 2004
Supreme Court of Canada

Application for leave to appeal filed

30666 **Bulani Agro Inc., Dennis Bulani and Lynda Bulani v. Imperial Oil, a Partnership of Imperial Oil Limited, McColl-Frontenac Petroleums Inc.** (Sask.) (Civil) (By Leave)

Coram: Major, Fish and Abella JJ.

The application for an extension of time is granted and the application for leave to appeal from the judgment of the Court of Appeal for Saskatchewan, Number 553, 2004 SKCA 129, dated September 30, 2004, is dismissed with costs.

La demande de prorogation de délai est accordée et la demande d'autorisation d'appel de l'arrêt de la Cour d'appel de la Saskatchewan, numéro 553, 2004 SKCA 129, daté du 30 septembre 2004, est rejetée avec dépens.

NATURE OF THE CASE

Commercial law - Termination of a principal/agent relationship - Dispute over amounts owed - Dispute over fixtures on real property - Courts - Trial - Bias - Whether the trial judge demonstrated a visible bias against the Applicants - Whether the trial judge demonstrated bias in the inconsistent application of the law - Whether the trial judge demonstrated bias in the manner in which he considered the Applicant's arguments - Whether the trial judge demonstrated bias in the way he assessed the facts as regards the Applicants - Whether the Court of Appeal erred in failing to correct errors of the trial judge.

PROCEDURAL HISTORY

May 30, 2002
Court of Queen's Bench of Saskatchewan
(Matheson J.)

Respondent granted exclusive possession of real property; Applicants allowed to remove certain fixtures; Applicants to pay Respondents \$633,000.00; Respondents to pay Applicants \$336,266.87; Applicants' claim for damages dismissed

September 30, 2004
Court of Appeal for Saskatchewan
(Cameron, Sherstobitoff and Lane JJ.A.)

Appeal dismissed

December 3, 2004
Supreme Court of Canada

Application for leave to appeal filed

January 17, 2005
Supreme Court of Canada

Motion to extend time to file and/or serve the leave application filed

30704 **Conquest Vacations Company v. T-Comm/A Travel Communication Association Inc.** (Ont.)
(Civil) (By Leave)

Coram: Major, Fish and Abella JJ.

The application for an extension of time is granted and the application for leave to appeal from the judgment of the Court of Appeal for Ontario, Number C39968, dated November 5, 2004, is dismissed with costs.

La demande de prorogation de délai est accordée et la demande d'autorisation d'appel de l'arrêt de la Cour d'appel de l'Ontario, numéro C39968, daté du 5 novembre 2004, est rejetée avec dépens.

NATURE OF THE CASE

Commercial Law - Contracts - Whether the Court of Appeal for Ontario erred in the test articulated for finding that a contract had been fundamentally breached - Whether the Court of Appeal's conclusion is not justified in its reasons - Whether the Court of Appeal failed to address the true nature of the contract and its breach - Whether within this Court and the Court of Appeal for Ontario there are differing opinions on the test to be applied when considering whether one party has fundamentally breached a contract - Whether there is a need to decide that test and when it is to be applied.

PROCEDURAL HISTORY

April 24, 2003
Ontario Superior Court of Justice
(Dyson J.)

Applicant to pay damages in the amount of \$74,107

November 5, 2004
Court of Appeal for Ontario
(Goudge, Feldman and Lang)

Appeal dismissed

January 4, 2005
Supreme Court of Canada

Application for leave to appeal filed

30712 **Wal-Mart Canada Corp. v. United Food and Commercial Workers, Local 1400** (Sask.) (Civil) (By Leave)

Coram: **Major, Fish and Abella JJ.**

The motion to expedite the application for leave to appeal is granted and the application for leave to appeal from the judgment of the Court of Appeal for Saskatchewan, Number 999, dated November 23, 2004, is dismissed with costs to the respondent United Food and Commercial Workers, Local 1400.

La requête visant à accélérer la procédure de demande d'autorisation d'appel est accordée et la demande d'autorisation d'appel de l'arrêt de la Cour d'appel de la Saskatchewan, numéro 999, daté du 23 novembre 2004, est rejetée avec dépens en faveur de l'intimée, l'Union internationale des travailleurs et travailleuses unis de l'alimentation et du commerce, section locale 1400.

NATURE OF THE CASE

Labour law - Certification - Evidence - Judicial review - Standard of review - Powers of Labour Relations Board - Chambers judge quashing Board's document production orders - Court of Appeal reinstating orders - Whether Court of Appeal erred in applying patent unreasonableness standard of review to Board's decision - Whether Court of Appeal erred in setting aside ruling that Board exceeded its jurisdiction to compel document production - Whether s. 9 of *The Trade Union Act*, R.S.S. 1978, c. T-17, violates s. 2(b) of the *Canadian Charter of Rights and Freedoms*.

PROCEDURAL HISTORY

July 23, 2004
Court of Queen's Bench for Saskatchewan
(Bayton J.)

Saskatchewan Labour Relations Board orders quashed; Applicant's application for an order declaring s. 9 of *The Trade Union Act* to be unconstitutional dismissed

November 23, 2004
Court of Appeal for Saskatchewan
(Tallis, Vancise and Sherstobitoff JJ.A.)

Appeal allowed; orders of the Saskatchewan Labour Relations Board reinstated

January 17, 2005
Supreme Court of Canada

Application for leave to appeal filed

February 24, 2005
Supreme Court of Canada

Motion to expedite and for a stay of proceedings filed

29.3.2005

Before / Devant: FISH J.

Motions for leave to intervene**Requêtes en autorisation d'intervenir**

BY / PAR: British Columbia Civil Liberties
Association
Canadian Association of Elizabeth
Fry Societies
John Howard Society of Canada

IN / DANS: Terry Lee May, et al.

v. (30083)

Warden of Ferndale Institution, et al.
(B.C.)

GRANTED / ACCORDÉES

UPON APPLICATIONS by the British Columbia Civil Liberties Association and the Canadian Association of Elizabeth Fry Societies and the John Howard Society of Canada for leave to intervene in the above appeal;

AND HAVING READ the material filed;

IT IS HEREBY ORDERED THAT:

The motion for leave to intervene of the applicant, the British Columbia Civil Liberties Association, is granted and the applicant shall be entitled to serve and file a factum not to exceed 20 pages in length on or before April 18, 2005.

The motion for leave to intervene of the applicant, the Canadian Association of Elizabeth Fry Societies and the John Howard Society of Canada, is granted and the applicant shall be entitled to serve and file a single factum not to exceed 20 pages in length on or before April 18, 2005.

The requests to present oral argument are deferred to a date following receipt and consideration of the written arguments of the parties and the interveners.

The interveners shall not be entitled to raise new issues or to adduce further evidence or otherwise to supplement the record of the parties.

Pursuant to Rule 59(1)(a) the interveners shall pay to the appellants and respondents any additional disbursements occasioned to the appellants and respondents by their intervention.

29.3.2005

Before / Devant: FISH J.

Motions for leave to intervene

Requêtes en autorisation d'intervenir

BY / PAR: Assembly of First Nations
Women's Legal Education and
Action Fund
Native Women's Association of
Canada
DisAble Women's Network Canada

IN / DANS: Frederick Leroy Barney, et al.

v. (30176)

Her Majesty the Queen in Right of
Canada as represented by The
Minister of Indian Affairs and
Northern Development, et al. (B.C.)

GRANTED / ACCORDÉES

UPON APPLICATIONS by the Assembly of First Nations and the Women's Legal Education and Action Fund, the Native Women's Association of Canada and the DisAble Women's Network Canada for leave to intervene in the above appeal;

AND HAVING READ the material filed;

IT IS HEREBY ORDERED THAT:

The motion for leave to intervene of the applicant, the Assembly of First Nations, is granted and the applicant shall be entitled to serve and file a factum not to exceed 20 pages in length on or before April 18, 2005.

The motion for leave to intervene of the applicant, the Women's Legal Education and Action Fund, the Native Women's Association of Canada and the DisAble Women's Network Canada, is granted and the applicant shall be entitled to serve and file a single factum not to exceed 20 pages in length on or before April 18, 2005.

The requests to present oral argument are deferred to a date following receipt and consideration of the written arguments of the parties and the interveners.

The interveners shall not be entitled to raise new issues or to adduce further evidence or otherwise to supplement the record of the parties.

Pursuant to Rule 59(1)(a) the interveners shall pay to the appellants and respondents any additional disbursements occasioned to the appellants and respondents by their intervention.

29.3.2005

Before / Devant: THE CHIEF JUSTICE

Motion to state a constitutional question and to adjourn the hearing of the appeal**Requête en formulation d'une question constitutionnelle et en ajournement de l'audition de l'appel**R.W.C., a young person within the meaning of the *Youth Criminal Justice Act*

v. (30302)

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

DISMISSED / REJETÉE

UPON APPLICATION by the intervener, the Attorney General of Ontario, for an order extending the time to serve and file the motion to state constitutional questions, for an order stating constitutional questions and for an order adjourning the hearing in the above appeal;

AND HAVING READ the material filed;

IT IS HEREBY ORDERED THAT:

The application for an extension of time is granted and the motion to state constitutional questions is dismissed.
The application for an adjournment is dismissed.

29.3.2005

Before / Devant: FISH J.

Motion for extension of time and leave to intervene**Requête en prorogation de délai et en autorisation d'intervenir**BY / PAR: Criminal Lawyers' Association
(Ontario)

IN / DANS: Her Majesty the Queen

v. (30349)

Thomas Alexander Turcotte (Crim.)
(B.C.)**GRANTED / ACCORDÉE**

UPON APPLICATION by the Criminal Lawyers' Association (Ontario) for an extension of time to apply for leave to intervene and for leave to intervene in the above appeal;

AND HAVING READ the material filed;

IT IS HEREBY ORDERED THAT:

The motion for an extension of time to apply for leave to intervene and for leave to intervene of the applicant, the Criminal Lawyers' Association (Ontario), is granted and the applicant shall be entitled to serve and file a factum not to exceed 20 pages in length on or before April 18, 2005.

The request to present oral argument is deferred to a date following receipt and consideration of the written arguments of the parties and the intervener.

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

Pursuant to Rule 59(1)(a) the intervener shall pay to the appellant and respondent any additional disbursements occasioned to the appellant and respondent by its intervention.

31.3.2005

Before / Devant: THE REGISTRAR

Taxation of costs**Taxation des dépens**

Barreau du Québec

v. (29344)

Christina McCulloch-Finney (Que.)

On June 10, 2004, the Supreme Court dismissed the appeal with costs to the respondent on a solicitor and client basis. Taking care to stress that it awards costs on this basis only "in exceptional cases", the Court concluded that this case was an appropriate one given that "the respondent represented herself until the case came before this Court, where a lawyer agreed to represent her", and that "[t]he . . . appeal raised issues of general importance" going beyond "her particular case" ([2004] 2 S.C.R. 17, at para. 48).

The Barreau du Québec has paid the fees and disbursements of counsel for the respondent, as indicated by the acquittance filed in the record. However, the acquittance, as corroborated by the correspondence relating to the taxation, indicates clearly that it does not cover any claims the respondent herself may have. The respondent has filed a bill of costs, which the appellant contests.

The respondent was represented by counsel beginning on June 23, 2003, that is, after the Court had granted the application for leave on April 17, 2003 and after the motion for directions concerning sealed portions of the record had been filed.

As I mentioned in the first paragraph, it is clear that the Court awarded costs to the respondent on a solicitor and client basis, and I cannot accept the appellant's argument that awarding costs to the respondent on that basis would amount to [TRANSLATION] "granting compensation for damages that were not awarded by this Court".

It remains to calculate the appropriate amount in light of the fact that the respondent is a lay litigant. Based on the principles set out in *Metzner v. Metzner*, File No. 28208, "the award should be made on a quantum meruit basis", taking into account "the particular circumstances of the case". The number of hours the respondent spent on her case is now the only point to be settled.

I have carefully analysed the number of hours claimed in the respondent's bill of costs in light of the work to be done, the documents filed and the fact that the overall circumstances of the case had destroyed any confidence the respondent may have had in the pleadings filed by the appellant, which led her to scrutinize every document that was filed. Considering all these factors and every litigant's obligation to be efficient in preparing for court proceedings, I am reducing the number

of hours claimed by the respondent to 120 hours at the rate of \$100 an hour. The respondent is also entitled to the \$70.17 in disbursements claimed in her bill of costs.

The bill of costs is taxed accordingly.

La Cour suprême a rejeté l'appel le 10 juin 2004 avec dépens sur une base avocat-client en faveur de l'intimée. Tout en prenant soin de souligner qu'elle n'accordait ce type de dépens que "dans des cas d'exception", la Cour a conclu que cette affaire constitue un cas approprié étant donné que "l'intimée s'est défendue seule jusque devant notre Cour, où un avocat a accepté de la représenter" et que "le pourvoi soulevait des questions d'importance générale" dépassant "son cas particulier", [2004] 2 R.C.S. 17, par. 48.

Le Barreau du Québec a réglé les honoraires et débours de l'avocat de l'intimée ainsi que l'indique la quittance déposée au dossier. Toutefois la quittance, corroborée par la correspondance relative à la taxation, indique clairement qu'elle ne couvre pas les réclamations que pourrait avoir l'intimée elle-même. Cette dernière a déposé un mémoire de frais que conteste l'appelant.

L'intimée a été représentée par avocat à compter du 23 juin 2003, soit après que la Cour eût accordé la demande d'autorisation le 17 avril 2003 et après le dépôt de la requête pour directives relative à des éléments du dossier mis sous scellé.

Comme je l'indique dans le premier alinéa, il est clair que la Cour a accordé les dépens sur la base avocat-client à l'intimée et je ne peux retenir l'argument de l'appelant qu'accorder de tels dépens à l'intimée reviendrait à lui "octroyer une indemnité pour des dommages-intérêts qui n'ont pas été alloués par cette Cour".

Reste la question du calcul du montant approprié compte tenu du fait que l'intimée est un plaideur profane. En appliquant les principes dégagés dans l'affaire *Metzner c. Metzner*, n° du greffe 28208, "les dépens doivent être accordés sur la base du *quantum meruit*" compte tenu des "circonstances particulières de l'affaire". Le nombre d'heures consacrées par l'intimée à son dossier devient le seul point à régler.

J'ai soigneusement analysé le nombre d'heures réclamées dans le mémoire de frais de l'intimée au regard du travail à accomplir, des documents produits et du fait que les circonstances globales de l'affaire ont détruit la moindre confiance que l'intimée aurait pu avoir à l'endroit des actes de procédure produits par l'appelant, ce qui l'a amenée à scruter chaque document déposé. Compte tenu de tous ces facteurs et de l'obligation de tous les plaideurs de faire preuve d'efficacité dans leur démarche judiciaire, je réduis le nombre d'heures réclamées à 120 heures au tarif de 100,00 \$ l'heure. L'intimée a également droit aux débours réclamés dans son mémoire, soit 70.17 \$.

Les dépens sont taxés en conséquence.

31.3.2005

Before / Devant: THE REGISTRAR

Motion to extend the time in which to serve and file the applicants' reply

Requête en prorogation du délai de signification et de dépôt de la réplique des demandeurs

The Regional Municipality of Halifax, et al.

v. (30719)

Marty David, et al. (N.S.)

GRANTED / ACCORDÉE

Time extended to April 1, 2005.

31.3.2005

Before / Devant: THE REGISTRAR

Motion to file a memorandum of argument of over 20 pages

Requête en vue de déposer un mémoire de plus de 20 pages

J.A.

v. (30736)

Director of child and family services (Man.)

GRANTED / ACCORDÉE

The motion to file a lengthy memorandum of argument (50 pages) and to extend the time to file a lengthy reply (20 pages) to March 9, 2005, is granted.

SUPREME COURT OF CANADA SCHEDULE
CALENDRIER DE LA COUR SUPREME

- 2004 -

10/06/04

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

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

- 2005 -

JANUARY - JANVIER						
S D	M L	T M	W M	T J	F V	S S
						1
2	H 3	4	5	6	7	8
9	M 10	11	12	13	14	15
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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
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27	28					

MARCH - MARS						
S D	M L	T M	W M	T J	F V	S S
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6	M 7	8	9	10	11	12
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20	21	22	23	24	H 25	26
27	H 28	29	30	31		

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

Sittings of the court:
Séances de la cour:

Motions:
Requêtes:

Holidays:
Jours fériés:

M
H

18 sitting weeks/semaines séances de la cour
88 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