

SUPREME COURT OF CANADA



COUR SUPRÊME DU CANADA

BULLETIN OF PROCEEDINGS

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BULLETIN DES PROCÉDURES

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APPLICATIONS FOR LEAVE TO APPEAL FILED

Nav Canada

Michel G. Ménard
Lapointe Rosenstein

v. (30729)

Wilmington Trust Company, et al. (Qc)

Jean-Bertrand Giroux
Brouillette, Charpentier, Fortin

FILING DATE: 14.01.2005

Aéroports de Montréal

Gerald N. Apostolatos
Langlois, Kronström, Desjardins

v. (30738)

Wilmington Trust Company, et al. (Que.)

Bertrand Giroux
Brouillette, Charpentier, Fortin

FILING DATE: 14.01.2005

Aéroports de Montréal

Gerald N. Apostolatos
Langlois, Kronström, Desjardins

v. (30740)

Newcourt Credit Group (Alberta) Inc., et al. (Que.)

Pierre Bourque, c.r.
Desjardins, Ducharme, Stein, Monast

FILING DATE: 14.01.2005

Greater Toronto Airports Authority

Robert E. Charbonneau
Borden, Ladner, Gervais

v. (30743)

Renaissance Leasing Corporation, et al. (Que.)

Bertrand Giroux
Brouillette, Charpentier, Fortin

FILING DATE: 14.01.2005

DEMANDES D'AUTORISATION D'APPEL DÉPOSÉES

Greater Toronto Airports Authority

Robert E. Charbonneau
Borden, Ladner, Gervais

v. (30745)

Newcourt Credit Group (Alberta) Inc., et al. (Que.)

Pierre Bourque, c.r.
Desjardins, Ducharme, Stein, Monast

FILING DATE: 14.01.2005

Ottawa Macdonald-Cartier International Airport Authority

Richard L. Desgagnés
Ogilvy, Renault

v. (30749)

Wilmington Trust Company, et al. (Que.)

Bertrand Giroux
Brouillette, Charpentier, Fortin

FILING DATE: 14.01.2005

St-John's International Airport Authority

Richard L. Desgagnés
Ogilvy, Renault

v. (30750)

Newcourt Credit Group (Alberta) Inc., et al. (Que.)

Pierre Bourque, c.r.
Desjardins, Ducharme, Stein, Monast

FILING DATE: 14.01.2005

Charlottetown Airport Authority Inc.

Richard L. Desgagnés
Ogilvy, Renault

v. (30751)

CCG Trust Corporation, et al. (Que.)

Pierre Bourque, c.r.
Desjardins, Ducharme, Stein, Monast

FILING DATE: 14.01.2005

Canadian Microtunnelling Ltd.

v. (30758)

The Corporation of the City of Toronto (Ont.)

Anna Kinastowski
City of Toronto

FILING DATE: 25.01.2005

Main Rehabilitation Co. Ltd.

Rocco Galati
Galati, Rodrigues & Associates

v. (30739)

Her Majesty the Queen (F.C.)

Catherine Letellier de St-Just
A.G. of Canada

FILING DATE: 27.01.2005

Chapelstone Developments, et al.

David R. Oley
Mockler, Peters, Oley, Rouse & Williams

v. (30747)

Her Majesty the Queen in Right of Canada (N.B.)

Peter H. MacPhail
Clark Drummie

FILING DATE: 28.01.2005

FEBRUARY 7, 2005 / LE 7 FÉVRIER 2005

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

J.C.G.

c. (30562)

Sa Majesté la Reine (Crim.) (Qc)

NATURE DE LA CAUSE

Droit criminel - Procès - Témoins - Assignation - Victime absente - Demande de remise du procès par le ministère public - La Cour d'appel a-t-elle erré en droit dans l'interprétation des dispositions législatives pertinentes en matière d'assignation des témoins dans la procédure criminelle au Québec? - La Cour d'appel a-t-elle erré en droit en concluant que le juge de première instance n'avait pas exercé sa discrétion judiciairement en refusant d'accorder une remise à la poursuite? - *Darville c. La Reine* (1956) 25 C.R. 1 - Article 20.1 du *Code de procédure pénale*, L.R.Q., ch. C-25.1.

HISTORIQUE DES PROCÉDURES

Le 20 mai 2003
Cour du Québec, Chambre de la jeunesse
(Le juge Braun)

Demanderesse acquittée de complot en vue de commettre un vol qualifié, de vol qualifié et de voies de fait graves

Le 13 septembre 2004
Cour d'appel du Québec
(Les juges Morin, Dalphond et Hilton [dissident])

Appel accueilli, verdict d'acquittement cassé et dossier retourné à la Cour du Québec pour procès

Le 26 novembre 2004
Cour suprême du Canada

Demande d'autorisation d'appel et requête en prorogation de délai déposées

Le 14 décembre 2004
Cour suprême du Canada

Avis de désistement d'un appel de plein droit déposé par la demanderesse

Sheila Stene and Andrew Gilbert

v. (30509)

John Thomson (Ont.)

NATURE OF THE CASE

Commercial law - Contracts - Sale - Whether the courts below erred by not converting the application to an action - Whether the courts below erred in interpreting the Agreement of Purchase and Sale - Whether the Court of Appeal erred by dismissing the motion for a stay of the appeal pending disposition of their new action.

PROCEDURAL HISTORY

October 21, 2003
Ontario Superior Court of Justice
(Macdonald J.)

Applicants' application brought pursuant to s. 3 of the
Vendors and Purchasers Act, dismissed

June 14, 2004
Court of Appeal for Ontario
(Goudge, Sharpe, and Cronk JJ.A.)

Applicants' motion to stay appeal, dismissed; Appeal
dismissed

September 13, 2004
Supreme Court of Canada

Application for leave to appeal filed

Michel Duguay

c. (30692)

Christiane Thériège (Qc)

NATURE DE LA CAUSE

Procédure – Procédure civile – Homologation – La Cour supérieure a-t-elle erré en homologuant l'entente intervenue entre les parties? – La Cour d'appel a-t-elle erré en rejetant l'appel du demandeur?

HISTORIQUE DES PROCÉDURES

Le 27 mai 2004
Cour supérieure du Québec
(Le juge de Wever)

Entente convenue entre les parties

Le 15 juillet 2004
Cour supérieure du Québec
(Le juge Durand)

Requête de l'intimée en homologation accueillie;
entente déclarée exécutoire

Le 15 novembre 2004
Cour d'appel du Québec
(Les juges Gendreau, Delisle et Hilton)

Appel rejeté

Le 22 décembre 2004
Cour suprême du Canada

Demande d'autorisation d'appel déposée

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

**Chester Waxman, Chester Waxman, in trust, Chesterton Investments Limited and
I. Waxman & Sons Limited**

v. (30418)

**Morris Waxman, Michael Waxman, Shirley Waxman, Douglas Waxman,
The Waxman Holding Corporation Inc., Morrision Investments Limited,
Solid Waste Reclamation Limited, and Solid Waste Reclamation Inc.**

AND BETWEEN:

Robert Waxman and Warren Waxman

v. (30418)

**Morris Waxman, Michael Waxman, Shirley Waxman, Douglas Waxman,
The Waxman Holding Corporation Inc., Morrision Investments Limited,
Solid Waste Reclamation Limited, and Solid Waste Reclamation Inc. (Ont.)**

NATURE OF THE CASE

Commercial law - Remedies - Breach of Fiduciary Duty - Constructive Trust - Knowing Receipt - Oppression Remedy - Whether the lower courts erred in law in holding that Chester Waxman held 50% of the shares of IWS on constructive trust for Morris Waxman after December 22, 1983 who was also entitled to recover 50% of all profits and distributions of IWS after December 22, 1983 - Whether such an order is punitive and not in accordance with the principles of fiduciary duty and oppression under s. 248 of the Ontario *Business Corporations Act* - Whether the lower courts erred in law in holding Robert and Warren Waxman liable to account to Morris Waxman in knowing receipt for bonus monies received from IWS between 1981 and 1993 - Whether the lower courts erred in law in holding Robert and Warren Waxman were liable to Morris Waxman on the basis of constructive knowledge of acts of oppression by Chester Waxman - Ontario *Business Corporations Act*, R.S.O. 1990, c. B. 16.

PROCEDURAL HISTORY (First Application)

June 27, 2002
Ontario Superior Court of Justice
(Sanderson J.)

Applicant Chester found to hold 50% of shares of I. Waxman & Sons Limited (IWS) on constructive trust for Respondent Morris since December 22nd, 1983 and shall forthwith convey them; Morris to recover from Chester and IWS 50% of profits and distributions of equity of IWS from December 22nd, 1983 onwards; Morris to recover from Chester and IWS bonuses for the fiscal year 1979, 1981-82; other relief awarded as *per* the terms of the order

September 16, 2002
Ontario Superior Court of Justice
(Sanderson J.)

Supplementary reasons for decision regarding tracing orders and other issues

January 10, 2003
Ontario Superior Court of Justice
(Sanderson J.)

Supplementary reasons for decision regarding pre-judgment interest and costs

April 30, 2004
Court of Appeal for Ontario
(Doherty, Laskin, and Goudge JJ.A.)

Appeal allowed in part and judgment of trial judge varied
as *per* terms of the order

June 22, 2004
Supreme Court of Canada

First application for leave to appeal filed

September 29, 2004
Court of Appeal for Ontario
(Doherty, Laskin and Goudge JJ.A.)

Endorsement regarding costs

November 26, 2004
Supreme Court of Canada

Motion for an extension of time filed

PROCEDURAL HISTORY (Second Application)

June 27, 2002
Ontario Superior Court of Justice
(Sanderson J.)

Respondent Morris entitled to recover from Applicants Warren and Robert any adjusted amounts received either directly or indirectly by bonus, or by other distributions from IWS; Respondent Morris entitled to recover from Applicants Warren and Robert specified amounts in respect of bonuses declared for fiscal years 1981-1982

September 16, 2002
Ontario Superior Court of Justice
(Sanderson J.)

Supplementary reasons for decision regarding tracing orders and other issues

January 10, 2003
Ontario Superior Court of Justice
(Sanderson J.)

Supplementary reasons for decision regarding pre-judgment interest and costs

April 30, 2004
Court of Appeal for Ontario
(Doherty, Laskin, and Goudge JJ.A.)

Appeal allowed in part and judgment of trial judge varied
as *per* terms of the order

September 29, 2004
Court of Appeal for Ontario
(Doherty, Laskin and Goudge JJ.A.)

Endorsement regarding costs

June 25, 2004
Supreme Court of Canada

Second application for leave to appeal filed

November 26, 2004
Supreme Court of Canada

Motion for an extension of time filed

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

David F. Hass

v. (30687)

**Jetex Investments Inc. represented at first instance by its agent, 1041646 Ontario Ltd.,
of which Browning Property Services is a division (Ont.)**

NATURE OF THE CASE

Administrative Law - Property Law - Appeal - Judicial review - Procedural fairness - Landlord tenant - Should provincial appellate courts provide reasons when refusing leave? - What effect does federal privacy legislation have on relevant evidence tendered before rental housing tribunals? - When should the standard of review of patent unreasonableness apply in a statutory appeal? - Whether the Ontario Rental Housing Tribunal Member's findings were unreasonable and not supported by the evidence? - Whether the Ontario Rental Housing Tribunal violated principles of procedural fairness and natural justice?

PROCEDURAL HISTORY

February 3, 2004
Ontario Rental Housing Tribunal
(Fine, Member)

Applicant's motion pursuant to ss. 84(1) and 84(2) of the
Tenant Protection Act, denied

February 19, 2004
Ontario Rental Housing Tribunal
(McGavin, Member)

Application for judicial review denied

June 25, 2004
Ontario Superior Court of Justice (Divisional Court)
(O'Driscoll, Jennings and Swinton JJ.)

Applicant's appeal to rescind, replace, amended, amend or
remit ORHT order for a hearing *de novo* dismissed;
Applicant's motion to admit fresh evidence dismissed

August 18, 2004
Court of Appeal for Ontario
(Armstrong J.A.)

Applicant's application for a stay of the order of the
Divisional Court and the order for vacant possession of the
apartment issued by the Ontario Housing Tribunal pending
an application for leave to appeal, granted

October 15, 2004
Court of Appeal for Ontario
(Simmons, Gillese and Hennessy JJ.A. [*ad hoc*])

Applicant's motion for leave to appeal, dismissed

December 14, 2004
Supreme Court of Canada

Application for leave to appeal filed

Eli Lilly and Company

v. (30693)

Apotex Inc. (F.C.)

NATURE OF THE CASE

Procedural law - Actions - Judgments and orders - Motion for summary judgment - Statutory interpretation - *Patented Medicines (Notice of Compliance) Regulations*, SOR/93-133, s.8 - “First person” - Applicant patentee moving for summary judgment on the grounds it was not a “first person” in Respondent’s action for loss of profits after prohibition order overturned - Whether Federal Court of Appeal overturned a discretionary summary judgment granted by the Federal Court without finding error of law - Whether Federal Court of Appeal has severely truncated access to summary judgment proceedings, leading to requirement for full blown trials - Whether the only issue before motions judge was a matter of statutory interpretation, a pure question of law - Whether the Federal Court should exercise its discretion to determine a question of law in the context of a summary judgment motion

PROCEDURAL HISTORY

March 31, 2004
Federal Court of Canada, Trial Division
(Heneghan J.)

American Applicant’s motion for summary judgment allowed; Respondent’s action for damages pursuant to the *Patented Medicines (Notice of Compliance) Regulations* dismissed against American Applicant; Canadian Applicant’s motion for summary judgment dismissed

October 27, 2004
Federal Court of Appeal
(Linden, Sexton and Evans JJ.A.)

Appeal allowed; Federal Court order set aside; American Applicant’s motion for summary judgment dismissed

December 24, 2004
Supreme Court of Canada

Application for leave to appeal filed

Ben Sutcliffe and Helen Kimmerly

v. (30590)

Minister of the Environment (Ontario) and Canadian Waste Services Inc.

AND BETWEEN:

The Mohawks of the Bay of Quinte

v. (30590)

Minister of the Environment (Ontario) and Canadian Waste Services Inc. (Ont.)

NATURE OF THE CASE

Administrative law - Judicial review - Statutes - Interpretation Environmental law - Assessment - Terms of reference - Decision of Minister to approve terms of reference for a proposed environmental assessment for expansion of landfill site - Terms of reference not including all previously required statutory elements - Whether Minister was entitled to make an incorrect or an unreasonable decision to dispense with the elements of an environmental assessment mandated by section 6.1(2) of the *Environmental Assessment Act*, R.S.O. 1990, c. E.18, s. 6.1. - Whether Minister may ignore fiduciary duty

owed by government to First Nations to take their interests into account and to ensure that obligation is fully met when making a decision - Appropriate standard of review to be applied to the Minister when making a decision in the exercise of a statutory discretion - Section 6.1(3) of the *Act* providing that approved terms of reference may provide that environmental assessment consist of “information other than that required by subsection (2)” - Whether Ministers possess greater expertise than the courts in deciding general questions of statutory interpretation - Whether ministerial decisions on questions of statutory interpretation are subject to review by the courts on the “correctness”, “reasonableness *simpliciter*”, or “patently unreasonable” standard of review - Whether terms of reference and environmental assessment must satisfy listed requirements of s. 6.1(2)

PROCEDURAL HISTORY

September 16, 1999 Ministry of the Environment (Minister of the Environment)	Terms of reference for an environmental assessment of Canadian Waste Services’ landfill site expansion approved
June 17, 2003 Ontario Superior Court of Justice (Cunningham A.C.J.[<i>dissenting</i>], Kurisko J. and Lang J.)	Applications for judicial review allowed; decision of the Minister quashed
August 25, 2004 Court of Appeal for Ontario (Laskin, Charron and MacPherson J.J.A.)	Appeal allowed; judgment below set aside; application for judicial review dismissed; cross-appeal of Applicant Mohawks dismissed
October 22, 2004 Supreme Court of Canada	Applications for leave to appeal filed

St. Anthony Seafoods Limited Partnership

v. (30669)

**Her Majesty the Queen in Right of Newfoundland and Labrador, and at all times represented by
the Minister of Fisheries and Aquaculture (N.L.)**

NATURE OF THE CASE

Administrative law - Judicial review - Ministerial discretion - Promissory estoppel - Applicant’s action against Respondent for refusal to issue snow crab licence dismissed - Court of Appeal remitting matter to Minister for reconsideration - Whether Minister’s decision binding on a subsequent Minister in accordance with principles laid down in *Mount Sinai Hospital Center v. Quebec (Minister of Health and Social Services)*, [2001] 2 S.C.R. 281 - Whether law of promissory estoppel applies to public law.

PROCEDURAL HISTORY

July 31, 2003 Supreme Court of Newfoundland and Labrador Trial Division (Russell J.)	Applicant’s action against Respondent for refusal to issue licence dismissed
October 8, 2004 Supreme Court of Newfoundland and Labrador Court of Appeal (Roberts, Welsh and Mercer J.J.A.)	Appeal allowed; Minister’s decision set aside and matter remitted to Minister for reconsideration; Applicant’s claim for damages remitted to trial judge for disposition in accordance with decision

December 6, 2004
Supreme Court of Canada

Application for leave to appeal filed

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

Placements Mane Ltée

c. (30661)

La Seigneurie de St-Émile Inc. et Ville de Québec

NATURE DE LA CAUSE

Droit municipal – Vente en justice d’un immeuble pour défaut d’avoir acquitté les taxes municipales – La Cour supérieure a-t-elle erré en rejetant la requête de la demanderesse en annulation de la vente? – La Cour d’appel a-t-elle erré en accordant la requête en rejet d’appel et en rejetant l’appel?

HISTORIQUE DES PROCÉDURES

Le 9 juillet 2004
Cour supérieure du Québec
(Le juge Godbout)

Requête de la demanderesse en annulation d’une vente
d’immeuble rejetée

Le 4 octobre 2004
Cour d’appel du Québec
(Les juges Gendreau, Thibault et Rochette)

Appel rejeté

Le 3 décembre 2004
Cour suprême du Canada

Demande d’autorisation d’appel déposée

George Maniatakos

c. (30691)

Paul Morin, Comité de discipline de l’Ordre des dentistes du Québec (Qc)

NATURE DE LA CAUSE

Procédure – Procédure civile – Appel – La Cour d’appel a-t-elle erré en rejetant la requête du demandeur pour permission d’appel? – Le droit du demandeur à un procès juste et équitable a-t-il été violé du fait que le syndic de l’Ordre des dentistes du Québec n’aurait pas transmis au demandeur toutes les « normes généralement reconnues par la profession » auxquelles il est accusé d’avoir contrevenu?

HISTORIQUE DES PROCÉDURES

Le 24 avril 2002
Comité de discipline de l’Ordre des dentistes du
Québec
(J. Pâquet, C. Brunet et G. Le)

Requête du demandeur en arrêt des procédures au
motif que le syndic ne lui avait pas transmis les «
normes scientifiques généralement reconnues »
auxquelles réfère la plainte contre lui, rejetée

Le 29 janvier 2004
Cour supérieure du Québec
(La juge Matteau)

Requête en révision judiciaire rejetée

Le 27 septembre 2004
Cour d'appel du Québec
(Les juges Beauregard, Gendreau et Doyon)

Requête pour permission d'appel accueillie à la seule fin de proroger le délai d'appel, mais rejetée sur le fond; requête en rejet d'appel accueillie; appel rejeté

Le 23 décembre 2004
Cour suprême du Canada

Demande d'autorisation d'appel et de demande en prorogation de délai déposées

Première Électronique Plus inc. (F.A.S. Instant Comptant)

c. (30682)

Procureur général du Québec (Qc)

NATURE DE LA CAUSE

Droit commercial – Droit des biens – Protection du consommateur – Qualité de « consommateur » au sens de la *Loi sur la protection du consommateur*, L.R.Q., ch. P-40.1 – Contrat de prêt sur gage – Hypothèque mobilière avec dépossession (gage) – Quel est le fardeau du poursuivant en vertu de l'art. 277 de la *Loi sur la protection du consommateur* relativement à la qualité de « consommateur »? – Le prêt sur gage est-il exempté de l'application de la *Loi* depuis l'entrée en vigueur du nouveau *Code civil du Québec*, L.Q. 1991, ch. 64?

HISTORIQUE DES PROCÉDURES

Le 8 novembre 2002
Cour du Québec
(Le juge Vallières)

Demanderesse reconnue coupable d'avoir contrevenu à l'art. 277 de la *Loi sur la protection du consommateur*

Le 22 août 2003
Cour supérieure du Québec
(Le juge Lévesque)

Appel accueilli; déclaration de culpabilité annulée

Le 19 octobre 2004
Cour d'appel du Québec
(Les juges Thibault, Pelletier, et Rayle)

Appel accueilli; déclaration de culpabilité rétablie

Le 17 décembre 2004
Cour suprême du Canada

Demande d'autorisation d'appel déposée

**CORAM: Bastarache, LeBel and Charron JJ.
Les juges Bastarache, LeBel et Charron**

Gérard DeWolf Shaw

c. (30675)

Jacques Vignola, First Marathon Securities Limited (Maintenant Financière Banque nationale) (Qc)

NATURE DE LA CAUSE

Procédure – Justice naturelle – Transmission, par la sténographe du Bureau du Commissaire général du travail, de la transcription des notes sténographiques au Commissaire du travail à l’insu du demandeur – La Cour d’appel a-t-elle erré en ne concluant pas à la violation des règles de la justice naturelle? – La Cour d’appel a-t-elle erré en ne concluant pas à l’absence de crainte raisonnable de partialité du décideur?

HISTORIQUE DES PROCÉDURES

Le 10 avril 2001
Bureau du Commissaire général du travail
(Le commissaire Vignola)

Plainte du demandeur pour congédiement sans cause
juste et suffisante rejetée

Le 11 janvier 2002
Cour supérieure du Québec
(Le juge Cliche)

Requête en révision judiciaire rejetée

Le 19 octobre 2004
Cour d’appel du Québec
(Les juges Delisle, Rochette and Rochon)

Appel rejeté

Le 21 décembre 2004
Cour suprême du Canada

Demande d’autorisation d’appel déposée

Le 24 décembre 2004
Cour suprême du Canada

Demande en prorogation de délai déposée

FEBRUARY 10, 2005 / LE 10 FÉVRIER 2005

MOTION FOR RECONSIDERATION / DEMANDE DE RÉEXAMEN

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

OSFC Holdings Ltd. v. Her Majesty the Queen (FC) (Civil) (By Leave) (28860)

FEBRUARY 10, 2005 / LE 10 FÉVRIER 2005

30428 **Stanislaw Bigos v. Her Majesty the Queen** (Ont.) (Criminal) (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 C38640, dated May 19, 2004, is dismissed.

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 C38640, daté du 19 mai 2004, est rejetée.

NATURE OF THE CASE

Criminal law (Non Charter) - Evidence - Whether the Court of Appeal erred in holding that the fresh evidence was not admissible

PROCEDURAL HISTORY

December 21, 2000
Ontario Court of Justice
(Blacklock J.)

Applicant convicted of unlawful confinement contrary to section 279(2) of the *Criminal Code*

May 19, 2004
Court of Appeal for Ontario
(MacPherson, Cronk and Gillese JJ.A.)

Appeal dismissed

December 7, 2004
Supreme Court of Canada

Application for extension of time and leave to appeal filed

30542 **Nanaimo Immigrant Settlement Society, Juan de Fuca Marine Rescue Society (formerly known as Sooke Marine Rescue Society) v. Her Majesty the Queen in Right of the Province of British Columbia** (B.C.) (Civil) (By Leave)

Coram: Major, Fish and Abella JJ.

The application for leave to appeal from the judgment of the Court of Appeal for British Columbia (Vancouver), Number CA31476, dated July 26, 2004, is dismissed with costs.

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel de la Colombie-Britannique (Vancouver), numéro CA31476, daté du 26 juillet 2004, est rejetée avec dépens.

NATURE OF THE CASE

Constitutional law – Division of powers – Taxation – Criminal law – Gaming and betting – Regulation and licensing – Province of British Columbia levying fees against charitable organizations on sale of bingo cards and charging casino licence fees pursuant to *Lottery Act* – Class action commenced by charitable and religious organizations for repayment of fees – Class action alleging unjust enrichment – Class action challenging constitutionality of fees as constituting indirect taxation and therefore *ultra vires* Province – Whether fees constituting regulatory fees or taxation – If fees on sale of bingo cards taxes, whether constituting direct or indirect taxation – Whether bingo and casino fees contrary to gaming provisions of *Criminal Code*, in particular, s. 207(1)(b), because fees not used by Province for charitable purposes – Whether restitution lies for taxes paid under an *ultra vires* tax – *Constitution Act, 1867*, s. 92(9) – *Criminal Code*, R.S.C. c. C-46, s. 207(1)(b), *Lottery Act*, R.S.B.C. 1979, c. 249 (repealed S.B.C. 2002, c. 14, s. 112).

PROCEDURAL HISTORY

December 10, 2003
Supreme Court of British Columbia
(Hutchison J.)

Applicant's class action for recovery of licencing fee dismissed

July 26, 2004
Court of Appeal for British Columbia
(Prowse, Low and Oppal JJ.A.)

Appeal and cross-appeal dismissed

September 29, 2004
Supreme Court of Canada

Application for leave to appeal filed

30543 410727 B.C. Ltd., Walline Ltd., Minoru Investments Ltd. and Y.H. Canadian Property Investment Trust v. Dayhu Investments Ltd., City of Richmond (B.C.) (Civil) (By Leave)

Coram: Major, Fish and Abella JJ.

The application for leave to appeal from the judgment of the Court of Appeal for British Columbia (Vancouver), Numbers CA031091 and CA031128, dated July 7, 2004, is dismissed with costs.

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel de la Colombie-Britannique (Vancouver), numéros CA031091 et CA031128, daté du 7 juillet 2004, est rejetée avec dépens.

NATURE OF THE CASE

Procedural law - Limitation of actions - Prescription - Cause of action - Cause of action against Respondents accrued to Applicants in 1968 - Respondents' negligence was not discovered until fire arising from another party's discrete negligence in 2002 - Respondents' negligence in 1968 contributed to damage suffered in 2002 fire - Whether a new cause of action arose against Respondents - Whether only one cause of action can arise if a different and subsequent set of facts gives rise to a new and different type of damages - Whether the Applicants' cause of action for physical damage to their building and related loss of income and chattels, caused by an extrinsic act, accrued when the building was completed or when the physical damage occurred, in circumstances where building code deficiencies merely contributed to the extent of the damage.

PROCEDURAL HISTORY

July 17, 2003
Supreme Court of British Columbia
(Shabbits J.)

Applications for orders dismissing actions against Respondents dismissed

July 7, 2004
Court of Appeal for British Columbia
(Newbury, Levine and Oppal, JJ.A.)

Appeal allowed; action against Respondents dismissed

September 29, 2004
Supreme Court of Canada

Application for leave to appeal filed

30603 **Louis Ludwik Furtak v. Timothy J. Valgardson** (Man.) (Civil) (By Leave)

Coram: Major, Fish and Abella JJ.

The application for leave to appeal from the judgment of the Court of Appeal of Manitoba, Number AI04-30-05879, dated September 21, 2004, is dismissed.

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel du Manitoba, numéro AI04-30-05879, daté du 21 septembre 2004, est rejetée.

NATURE OF THE CASE

Canadian Charter (Civil) - Procedural Law - Appeal - Judgments and orders - Whether there was a denial of due process and natural justice - Whether there was a breach of s. 7 of the *Charter of Rights and Freedoms* - Whether the decision from the Law Society of Manitoba can be appealed? - Whether the Law Society of Manitoba erred in its determination that the services provided by the Respondent were appropriate in the circumstances?

PROCEDURAL HISTORY

January 20, 2004 Law Society of Manitoba Flett, Arbitrator	Applicant's request for review of payment for legal services dismissed
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March 8, 2004 Court of Queen's Bench of Manitoba (Oliphant A.C.J.)	Application for leave to appeal dismissed
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September 21, 2004 Court of Appeal of Manitoba (Scott C.J.M., Twaddle and Kroft JJ.A.)	Appeal dismissed
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October 6, 2004 Supreme Court of Canada	Application for leave to appeal filed
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26.1.2005

Before / Devant: BASTARACHE J.

Motion to seal Court file**Requête visant la mise sous scellés du dossier de la Cour**

The Halifax Insurance Company of Canada

v. (30671)

Innopex Limited, et al. (Ont.)

GRANTED / ACCORDÉE

UPON APPLICATION by counsel on behalf of the respondent for an order sealing the file in the above mentioned application for leave to appeal;

AND HAVING READ the material filed;

IT IS HEREBY ORDERED THAT:

- 1) All materials filed by the applicant or respondents with this Court in connection with this application for leave to appeal shall be and are hereby sealed, except the order and the reasons of the Court of Appeal for Ontario dated October 15, 2004 which may be retained on the public record part of this file;
 - 2) The sealed materials shall only be made available to counsel for the applicant, counsel for the respondents, their respective Ottawa agents, Members of this Court, Court staff and other persons as the parties may, in writing, agree or as this Court may further order;
 - 3) This sealing order shall not extend to prohibit publication or disclosure of the names of the within parties nor the fact this application for leave to appeal, and related proceedings exist in this Court;
 - 4) All proceedings in this application for leave to appeal shall be held *in camera*;
 - 5) The time for the respondents to serve and file their response is hereby extended to 15 days following the release date of this Court's decision on the within motion;
 - 6) No order as to costs of this motion; and
 - 7) This order is without prejudice to the right of either party, in the event the application for leave to appeal is granted, to apply for a further sealing order.
-

31.1.2005

Before / Devant: MAJOR J.

Motion for extension of time and leave to intervene

Requête en prorogation de délai et en autorisation d'intervenir

BY / PAR: Attorney General of Ontario

IN / DANS: Mikisew Cree First Nation

v. (30246)

Sheila Copps, Minister of Canadian
Heritage, et al. (FC)

UPON APPLICATION by the Attorney General of 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 is granted. The motion for leave to intervene is dismissed.

1.2.2005

Before / Devant: BASTARACHE J.

Motion to extend the time in which to serve and file the factum and book of authorities of the intervener Attorney General of Ontario to February 18, 2005 and to present oral argument at the hearing of the appeal

Requête de l'intervenant le procureur général de l'Ontario en prorogation du délai de signification et de dépôt de ses mémoire et recueil de sources jusqu'au 18 février 2005, et en vue de présenter une plaidoirie orale lors de l'audition de l'appel

UL Canada Inc.

v. (30065)

Attorney General of Quebec, et al. (Que.)

GRANTED / ACCORDÉE

1.2.2005

Before / Devant: DESCHAMPS J.

Motion for leave to intervene in the application for leave to appeal

Requête en autorisation d'intervenir dans la demande d'autorisation d'appel

BY / PAR: ActuBen Consulting Inc.

IN / DANS: Loba Limited

v. (30664)

Minister of National Revenue (FC)

DISMISSED / REJETÉE

UPON APPLICATION by ActuBen Consulting Inc. for leave to intervene in the above mentioned application for leave to appeal;

AND HAVING READ the material filed;

IT IS HEREBY ORDERED THAT:

Interventions in support of a leave application are exceptional and should not be encouraged. There are no special circumstances here.

The motion is dismissed without prejudice to the applicant's right to apply for leave to intervene in the appeal, in the usual manner, if the Court grants the application for leave to appeal.

1.2.2005

Before / Devant: THE DEPUTY REGISTRAR

Motion to extend the time in which to serve and file the reply of the applicants, The Thomson Coporation, et al.

Requête en prorogation du délai de signification et de dépôt de la réplique des demandeurs, The Thomson Coporation et autres

Heather Robertson, et al.

v. (30644)

The Thomson Corporation, et al. (Ont.)

GRANTED / ACCORDÉE Time extended to January 28, 2005.

1.2.2005

Before / Devant: THE DEPUTY REGISTRAR

Motion to extend the time in which to serve and file the reply factum of the appellant (respondent on cross-appeal)

Requête en prorogation du délai de signification et de dépôt du mémoire en réplique de l'appellant (intimé au pourvoi incident)

Attorney General of Canada

v. (30137)

Donald Gladstone, et al. (B.C.)

GRANTED / ACCORDÉE Time extended to January 21, 2005.

1.2.2005

Before / Devant: THE DEPUTY REGISTRAR

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

Requête en prorogation du délai de signification de la réponse de l'intimée

2016596 Ontario Inc.

v. (30560)

Her Majesty the Queen in Right of Ontario as represented by The Minister of Natural Resources (Ont.)

GRANTED / ACCORDÉE Time extended to January 5, 2005.

1.2.2005

Before / Devant: THE DEPUTY REGISTRAR

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

Requête en prorogation du délai de signification et de dépôt du recueil de sources de l'appellant

David George Stender

v. (30551)

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

GRANTED / ACCORDÉE Time extended to January 25, 2005.

1.2.2005

Before / Devant: THE DEPUTY REGISTRAR

Motion to reimburse the \$500 security deposit to the appellant

Requête de l'appellant en restitution du cautionnement de 500 \$

The Board of Governors of Lethbridge Community College

v. (29323)

Alberta Union of Provincial Employees, et al. (Alta.)

GRANTED / ACCORDÉE

2.2.2005

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 de signification et de dépôt de la réponse de l'intimée

Eton Anthony Greaves

v. (30627)

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

GRANTED / ACCORDÉE Time extended to January 17, 2005.

3.2.2005

Before / Devant: DESCHAMPS J.

Motion to file a reply factum on appeal and to extend the time in which to serve and file the appellant's reply factum

Requête en vue de déposer un mémoire en réplique concernant l'appel et en prorogation du délai de signification et de dépôt du mémoire en réplique de l'appelante

Her Majesty the Queen

v. (30376)

R.L. (Crim.)(Ont.)

GRANTED / ACCORDÉE Time extended to February 1, 2005.

3.2.2005

Before / Devant: DESCHAMPS J.

Motion to strike

Requête en radiation

Dirk de Jong

v. (30127)

The Minister of Citizenship and Immigration (FC)

and between

David Hilewitz

v. (30125)

The Minister of Citizenship and Immigration (FC)

GRANTED IN PART, WITHOUT COSTS / ACCORDÉE EN PARTIE, SANS DÉPENS

1. The motion to strike out the portions of the factum of the interveners CACL and ERDCO is denied.
 2. The alternative conclusion is granted and the respondent is allowed to file a reply factum not exceeding 10 pages in length.
-

4.2.2005

Before / Devant: THE DEPUTY REGISTRAR

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

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

Marilyn Ortega, et al.

v. (30489)

1005640 Ontario Inc. carrying on business under the name and style of Calypso Hut 3, 1230 Sheppard Centre Inc. and John Doe (Ont.)

GRANTED / ACCORDÉE Time extended to January 10, 2005.

4.2.2005

Before / Devant: THE DEPUTY REGISTRAR

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

**Requête en prorogation du délai de signification et de
dépôt des mémoire et recueil de sources de
l'appelante**

The City of Calgary

v. (30247)

Atco Gas and Pipelines Ltd. (Alta.)

GRANTED / ACCORDÉE Time extended to February 8, 2005.

**NOTICE OF APPEAL FILED SINCE
LAST ISSUE**

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

31.01.2005

Gary Leskun

v. (30548)

Sherry Jean Leskun (B.C.)

02.02.2005

Vernon Roy Mazzei

v. (30415)

**The Director of Adult Forensic Psychiatric
Services, et al. (B.C.)**

02.02.2005

Maribel Anaya Castillo

v. (30534)

Antonio Munoz Castillo (Alta.)

04.02.2005

Mario Charlebois

c. (30467)

Ville de Saint-Jean (N.-B.)

08.04.2005

**Association des juristes d'expression française du
Nouveau-Brunswick**

c. (30467)

Ville de Saint-Jean (N.-B.)

**APPEALS HEARD SINCE LAST ISSUE
AND DISPOSITION**

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

8.2.2005

CORAM: Chief Justice McLachlin and Major, Bastarache, Binnie, LeBel, Deschamps, Fish, Abella and Charron JJ.

David Hilewitz

v. (30125)

**The Minister of Citizenship and Immigration (FC)
(Civil) (By Leave)**

- and -

Dirk de Jong

v. (30127)

**The Minister of Citizenship and Immigration(FC)
(Civil) (By Leave)**

RESERVED / EN DÉLIBÉRÉ

Nature of the case:

Immigration law - Application for permanent residence - Medical inadmissibility - Excessive demands on the social system - Whether an assessment under s. 19(1)(a)(ii) of the *Immigration Act* requires consideration of the actual probability of excessive demands being placed on social services, including in particular the ability and intention of the Appellant to pay for or obtain those services privately - *Immigration Act*, R.S.C. 1985, c. I-2, s. 19(1)(a)(ii) (repealed).

Cecil L. Rotenberg, Q.C., Andrew Z. Wlodyka, Nicholas McHaffie, Howard Greenberg, Inna Kogan, Rachel Rotenberg and Mario D. Bellissimo for the appellants.

Urszula Kaczmarczyk and Michael H. Morris for the respondent.

Ena Chadha and Dianne Wintermute for the interveners Canadian Association for Community Living (CACL) and Ethno-Racial People with Disabilities Coalition (ERDCO).

Nature de la cause:

Droit de l'immigration - Demande de résidence permanente - Non-admissibilité pour des raisons médicales - Fardeau excessif pour le système social - Dans l'évaluation visée au sous-al.19(1)a)(ii) de la *Loi sur l'immigration*, doit-on tenir compte de la probabilité concrète qu'un fardeau excessif soit imposé aux services sociaux, notamment de la capacité et de l'intention de l'appelant de payer pour ces services ou de se les procurer auprès du secteur privé? - *Loi sur l'immigration* L.R.C. 1985, ch. I-2, sous-al. 19(1)a)(ii) (abrogé).

9.2.2005

CORAM: Chief Justice McLachlin and Major, Bastarache, Binnie, LeBel, Deschamps, Fish, Abella and Charron JJ.

Her Majesty the Queen

v. (30113)

**Toronto Star Newspapers Limited, et al. (Ont.)
(Civil) (By Leave)**

Scott C. Hutchison and Melissa Ragsdale for the appellant.

Paul B. Schabas and Ryder Gilliland for the respondents.

Written submissions only for the intervener Canadian Association of Journalists.

RESERVED / EN DÉLIBÉRÉ

Nature of the case:

Canadian Charter of Rights and Freedoms – Freedom of the expression – Ex parte motion – Sealing order – Search warrant and related documents – What is the test to be applied on an application to delay public access to search warrant application materials – Whether the Court of Appeal erred in law in applying the stringent test articulated in *Mentuck* without modification to take into account the circumstances relevant to an order delaying public access to warrant materials during the pre-charge, investigative phase.

Nature de la cause:

Charte canadienne des droits et libertés – Liberté d’expression – Requête *ex parte* – Ordonnance de mise sous scellés – Mandat de perquisition et documents connexes – Quel critère s’applique à l’examen d’une demande visant à retarder l’accès du public aux documents étayant une demande de mandat de perquisition ? – La Cour d’appel a-t-elle commis une erreur de droit en appliquant le critère rigoureux énoncé dans *Mentuck*, sans le modifier pour tenir compte des circonstances propres à une ordonnance visant à retarder jusqu’à la fin de l’enquête pré-inculpation l’accès du public aux documents relatifs à un mandat de perquisition ?

9.2.2005

CORAM: Chief Justice McLachlin and Major, Bastarache, Binnie, LeBel, Deschamps, Fish, Abella and Charron JJ.

Attorney General of Canada

v. (30137)

Donald Gladstone, et al. (B.C.) (Civil) (By Leave)

S. David Frankel, Q.C., and Brian A. McLaughlin for the appellant.

Marvin R.V. Storrow, Q.C., and Peter L. Rubin for the respondents.

RESERVED / EN DÉLIBÉRÉ

Nature de la cause:

Statutes - Interpretation - Fiduciary duty - Proceeds from sale of fish seized under *Fisheries Act*, R.S.C. 1970, c. F-14 deposited into Consolidated Revenue Fund - Whether Crown must pay interest on proceeds held for eight years before returned to Respondents - Whether the Court erred in failing to consider that s. 73.1 of the *Fisheries Act*, R.S.C. 1985, c. F-14 providing for the return of the proceeds realized from the disposition of perishables lawfully seized and dealt with under the statute, is a complete statutory code setting out the Crown’s obligations - Whether the Court erred in imposing a fiduciary duty on the Crown on the basis of the Crown’s role under the *Financial Administration Act*, R.S.C. 1985, c. F-11, as amended, as administrator of special purpose monies - Whether the Court erred in applying the common law doctrine of fiduciary duty to override a statutory provision.

Nature of the case:

Lois - Interprétation - Obligation de fiduciaire - Versement au Trésor du produit de la vente de poisson saisi en application de la *Loi sur les pêcheries*, S.R.C. 1970, ch. F-14 - La Couronne doit-elle payer des intérêts sur cette somme détenue pendant huit ans avant d’être remise aux intimés? - Le tribunal a-t-il fait erreur en ne considérant pas l’art. 73.1 de la *Loi sur les pêches*, L.R.C. 1985, ch. F-14, qui prescrit la remise du produit de l’aliénation de biens périssables légalement saisis et aliénés en vertu de la Loi, comme la codification législative complète des obligations de la Couronne? Le tribunal a-t-il fait erreur en imposant à la Couronne une obligation de fiduciaire basée sur le rôle qu’elle joue, en application de la *Loi sur la gestion des finances publiques*, L.R.C. 1985, ch. F-11 et ses modifications, en tant qu’administrateur de fonds reçus à des fins particulières? Le tribunal a-t-il commis une erreur en invoquant la doctrine de l’obligation fiduciaire prévue

par la common law pour écarter l'application d'une
disposition législative?

10.2.2005

CORAM: Chief Justice McLachlin and Major, Binnie, LeBel, Deschamps, Abella and Charron JJ.

Her Majesty the Queen ex rel Linda Merk

v. (30090)

**International Association of Bridge, Structural,
Ornamental and Reinforcing Iron Workers, Local
771 (Sask.) (Civil) (By Leave)**

Roger J.F. Lepage, Kerri A. Froc and Alison Mitchell
for the appellant.

Roderick M. Gillies for the respondent.

RESERVED / EN DÉLIBÉRÉ

Nature of the case:

Statutes - Interpretation - *Labour Standards Act*, R.S.S.
1978, c. L-1, s. 74(1) - Whether the lower courts erred
in their interpretation of the words "lawful authority"
found in s. 74(1) of the *Act*.

Nature de la cause:

Loi - Interprétation - *Labour Standards Act*, R.S.S.
1978, c. L-1, art. 74(1) - Les juridictions inférieures ont-
elles fait erreur dans l'interprétation de l'expression
[TRADUCTION] « autorité légalement compétente »
figurant au par. 74(1) de la loi susmentionnée (la «
Loi »).

10.2.2005

CORAM: Chief Justice McLachlin and Bastarache, Binnie, LeBel, Deschamps, Fish and Charron JJ.

Grecon Dinter Inc.

v. (30217)

J.R. Normand Inc., et al (Que.) (Civil) (By Leave)

François Marseille, Nicholas J. Krnjevic and David A.
Johnson for the appellant.

Pierre C. Bellavance and Gabrielle Brochu for the
respondent J.R. Normand Inc.

Jean-Guy Lebel for the respondent Scierie Thomas-
Louis Tremblay Inc. (did not participate at the hearing).

RESERVED / EN DÉLIBÉRÉ

Nature of the case:

Civil Code - Interpretation - International law - Conflict
of laws - Declinatory exception - Forum selection clause
- Articles 3135, 3139 and 3148 of the *Civil Code of
Quebec*, S.Q. 1991, c. 64 - What is the proper test for
deciding whether an exclusive jurisdiction clause (art.
3148 *in fine*) prevails over a demand to hear both
principal and incidental matters together (art. 3139)? - In
the event that this Court concludes that the proper test is
to presumptively apply art. 3148 *in fine* in a manner

Nature de la cause:

Code civil - Interprétation - Droit international - Conflit
de lois - Exception déclinatoire - Clause d'élection de
for - Articles 3135, 3139 et 3148 du *Code civil du
Québec*, L.Q. 1991, ch. 64 - Quel est le critère approprié
pour décider si une clause de juridiction exclusive (art.
3148 *in fine*) l'emporte sur une requête visant à faire
entendre ensemble la demande principale et une
demande incidente (art. 3139)? - Si la Cour décide que le
critère approprié consiste à appliquer présomptivement

consistent with *Z.I. Pompey Industrie v. ECU-Line N.V.* [2003] 1 S.C.R. 450, how must it be applied in the instant manner? - Alternatively, in the event that this Court concludes that the proper test to be applied is *forum non conveniens*, how must it be applied in the presence of a valid exclusive jurisdiction clause?

l'art. 3148 *in fine* d'une façon compatible avec *Z.I. Pompey Industrie c. ECU-Ligne N.V.* [2003] 1 R.C.S. 450, comment ce critère doit-il être appliqué en l'espèce?- Subsidiairement, si la Cour juge que le critère approprié est la règle du *forum non conveniens*, comment ce critère doit-il être appliqué en présence d'une clause de juridiction exclusive valide?

DEADLINES: APPEALS

The Winter Session of the Supreme Court of Canada started January 10, 2005.

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

Appellant's record; appellant's factum; and appellant's book(s) of authorities must be filed within 12 weeks of the filing of the notice of appeal or 12 weeks from decision on the motion to state a constitutional question.

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

Intervener's factum and intervener's book(s) of authorities, (if any), must be filed within eight weeks of the order granting leave to intervene or within 20 weeks of the filing of a notice of intervention under subrule 61(4).

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

The Registrar shall enter the appeal on a list of cases to be heard after the respondent's factum is filed or at the end of the eight-week period referred to in Rule 36.

DÉLAIS : APPELS

La session d'hiver de la Cour suprême du Canada a commencé le 10 janvier 2005.

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

Le dossier de l'appelant, son mémoire et son recueil de jurisprudence et de doctrine doivent être déposés dans les douze semaines du dépôt de l'avis d'appel ou douze semaines de la décision de la requête pour formulation d'une question constitutionnelle.

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 des documents de l'appelant.

Le mémoire de l'intervenant et son recueil de jurisprudence et de doctrine, le cas échéant, doivent être déposés dans les huit semaines suivant l'ordonnance autorisant l'intervention ou dans les vingt semaines suivant le dépôt de l'avis d'intervention visé au paragraphe 61(4).

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

Le registraire inscrit l'appel pour audition après le dépôt du mémoire de l'intimé ou à l'expiration du délai de huit semaines prévu à la règle 36.

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
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	M 7	8	9	10	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	M 7	8	9	10	11	12
13	14	15	16	17	18	19
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
					1	2
3	4	5	6	7	8	9
10	M 11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

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

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