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| **SUPREME COURT OF CANADA** |  | **COUR SUPRÊME DU CANADA** |
| BULLETIN OF  PROCEEDINGS |  | BULLETIN DES  PROCÉDURES |
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| *Please consult the Supreme Court of Canada website at* [*www.scc-csc.ca*](https://www.scc-csc.ca) *for more information.* |  | *Pour de plus amples informations, veuillez consulter le site Web de la Cour suprême du Canada à l’adresse suivante :* [*www.scc-csc.ca*](https://www.scc-csc.ca) |

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| September 29, 2023 | 1 - 5 | Le 29 septembre 2023 |
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| NOTICE  Case summaries included in the Bulletin are prepared by the Office of the Registrar of the Supreme Court of Canada (Law Branch) for information purposes only.  AVIS  Les résumés des causes publiés dans le bulletin sont préparés par le Bureau du registraire (Direction générale du droit) uniquement à titre d’information. |

Motions /   
Requêtes

**SEPTEMBRE 27, 2023 / LE 27 SEPTEMBRE 2023**

|  |  |  |
| --- | --- | --- |
| **Motion for an extension of time** |  | **Requête en prorogation du délai** |

**SOCIÉTÉ RADIO-CANADA/CANADIAN BROADCASTING CORPORATION, LA PRESSE INC., COOPÉRATIVE NATIONALE DE L’INFORMATION INDéPENDANTE (CN21), LA PRESSE CANADIENNE, MÉDIAqmI INC. ET GROUPE TVA INC. c. SA MAJESTÉ LE ROI ET PERSONNE DÉSIGNÉE**

-et entre-

**PROCUREUR GÉNÉRAL DU QU֤ÉBEC. c. SA MAJESTÉ LE ROI ET PERSONNE DÉSIGNÉE**

-et-

**SOCIÉTÉ RADIO-CANADA/CANADIAN BROADCASTING CORPORATION, la presse inc., COOPÉRATIVE NATIONALE DE L’INFORMATION INDéPENDANTE (CN21), LA PRESSE CANADIENNE, MÉDIAQMI INC., GROUPE TVA INC. ET LUCIE RONDEAU, EN SA QUALITÉ DE JUGE EN CHEF DE LA COUR DU QUÉBEC**

(Qc) (40371)

**LA JUGE MARTIN :**

**À LA SUITE DE LA DEMANDE** présentée par les intimés en vue d’obtenir la prorogation du délai de signification et de dépôt de leurs mémoires et dossier au 29 août 2023, et pour une ordonnance autorisant la permission de présenter une plaidoirie orale lors de l’audition de l’appel, en vertu de la règle 71(3) des *Règles de la Cour suprême du Canada*;

**ET APRÈS EXAMEN** des documents déposés;

**IL EST ORDONNÉ CE QUI SUIT :**

La requête est accueillie.

**UPON APPLICATION** by the respondents for an order extending the time to serve and file their factums and record to August 29, 2023, and for an order granting them permission to present oral arguments at the hearing of the appeal, pursuant to Rule 71 (3) of the *Rules of the Supreme Court of Canada*;

**AND THE MATERIAL FILED** having been read;

**IT IS HEREBY ORDERED THAT:**

The motion is granted.

Notices of appeal filed since the last issue /   
Avis d’appel déposés depuis la dernière parution

|  |  |  |
| --- | --- | --- |
| September 15, 2023  **International Air Transport Association, et al.**  **v. (40614)**  **Canadian Transportation Agency, et al. (Fed.)**  (By Leave) |  |  |

Pronouncements of reserved appeals /   
Jugements rendus sur les appels en délibéré

**SEPTEMBER 27, 2023**

**39855 Earl Mason v. Minister of Citizenship and Immigration - and between - Seifeslam Dleiow v. Minister of Citizenship and Immigration - and - Attorney General of Ontario, Attorney General of Saskatchewan, Canadian Council for Refugees, Canadian Association of Refugee Lawyers, Social Planning Council of Winnipeg, Canadian Muslim Lawyers Association, United Nations High Commissioner for Refugees, Amnesty International Canadian Section (English Speaking), Community & Legal Aid Services Program, Association québécoise des avocats et avocates en droit de l’immigration and Criminal Lawyers’ Association (Ontario)** (Fed.)

**2023 SCC 21**

Coram: Wagner C.J. and Karakatsanis, Côté, Brown,\* Rowe, Martin, Kasirer, Jamal and O’Bonsawin JJ.

The appeals from the judgments of the Federal Court of Appeal, Numbers A-415-19 and A-37-20, 2021 FCA 156, dated July 29, 2021, heard on November 29, 2022, are allowed. The judgments of the Federal Court of Appeal are set aside and the appellants’ applications for judicial review are allowed. In the appeal by Earl Mason, the decision of the Immigration Appeal Division is quashed. In the appeal by Seifeslam Dleiow, the Immigration Division’s decision and the deportation order are quashed.

\* Brown J. did not participate in the final disposition of the judgment.

[LINK TO REASONS](https://decisions.scc-csc.ca/scc-csc/scc-csc/en/item/20081/index.do)

**Le 27 septembre 2023**

**39855 Earl Mason c. Ministre de la Citoyenneté et de l’Immigration - et entre - Seifeslam Dleiow c. Ministre de la Citoyenneté et de l’Immigration - et - Procureur général de l’Ontario, procureur général de la Saskatchewan, Conseil canadien pour les réfugiés, Association canadienne des avocats et avocates en droit des réfugiés, Social Planning Council of Winnipeg, Association canadienne des avocats musulmans, Agence des Nations Unies pour les réfugiés, Amnesty International Canadian Section (English Speaking), Community & Legal Aid Services Program, Association québécoise des avocats et avocates en droit de l’immigration et Criminal Lawyers’ Association (Ontario)** (Féd.)

**2023 CSC 21**

Coram: Le juge en chef Wagner et les juges Karakatsanis, Côté, Brown\*, Rowe, Martin, Kasirer, Jamal et O’Bonsawin

Les appels interjetés contre les jugements de la Cour d’appel fédérale, numéros A-415-19 et A-37-20, 2021 CAF 156, datés du 29 juillet 2021, entendus le 29 novembre 2022, sont accueillis. Les jugements de la Cour d’appel fédérale sont annulés et les demandes de contrôle judiciaire des appelants sont accueillies. Dans l’appel de Earl Mason, la décision rendue par la Section d’appel de l’immigration est annulée. Dans l’appel de Seifeslam Dleiow, la décision de la Section de l’immigration ainsi que la mesure d’expulsion sont annulées.

\* Le juge Brown n’a pas participé au dispositif final du jugement.

[LIEN VERS LES MOTIFS](https://decisions.scc-csc.ca/scc-csc/scc-csc/fr/item/20081/index.do)

Hearing schedule for October 2023 /   
Calendrier d’octobre 2023

**SEPTEMBER 29, 2023**

|  |  |
| --- | --- |
| **DATE OF HEARING** | **NAME AND CASE NUMBER** |
| 2023-10-11 | *Franck Yvan Tayo Tompouba v. His Majesty the King*(B.C.) (Criminal) (By Leave) ([40332](https://www.scc-csc.ca/case-dossier/info/sum-som-eng.aspx?cas=40332)) |
| 2023-10-12 | *Jim Shot Both Sides, et al. v. His Majesty the King*(Fed.) (Civil) (By Leave) ([40153](https://www.scc-csc.ca/case-dossier/info/sum-som-eng.aspx?cas=40153)) |
| 2023-10-13 | *Don Johnson v. His Majesty the King*(Ont.) (Criminal) (As of Right) ([40330](https://www.scc-csc.ca/case-dossier/info/sum-som-eng.aspx?cas=40330)) |
| 2023-10-16 | *Leading Seaman C.D. Edwards, et al. v. His Majesty the King*(Fed.) (Criminal) (By Leave) ([39820](https://www.scc-csc.ca/case-dossier/info/sum-som-eng.aspx?cas=39820)) |
| *Sergent S.R. Proulx, et al. v. His Majesty the King*(Fed.) (Criminal) (By Leave) ([39822](https://www.scc-csc.ca/case-dossier/info/sum-som-eng.aspx?cas=39822)) |
| *Corporal K.L. Christmas v. His Majesty the King*(Fed.) (Criminal) (By Leave) ([40046](https://www.scc-csc.ca/case-dossier/info/sum-som-eng.aspx?cas=40046)) |
| *Lieutenant (Navy) C.A.I. Brown v. His Majesty the King*(Fed.) (Criminal) (By Leave) ([40065](https://www.scc-csc.ca/case-dossier/info/sum-som-eng.aspx?cas=40065)) |
| *Sergent A.J.R. Thibault v. His Majesty the King*(Fed.) (Criminal) (By Leave) ([40103](https://www.scc-csc.ca/case-dossier/info/sum-som-eng.aspx?cas=40103)) |
| 2023-10-17 | *Earthco Soil Mixtures Inc. v. Pine Valley Enterprises Inc.*(Ont.) (Civil) (By Leave) ([40197](https://www.scc-csc.ca/case-dossier/info/sum-som-eng.aspx?cas=40197)) |
| 2023-10-18 | *York Region District School Board v. Elementary Teachers' Federation of Ontario*(Ont.) (Civil) (By Leave) ([40360](https://www.scc-csc.ca/case-dossier/info/sum-som-eng.aspx?cas=40360)) |
| 2023-10-19 | *Canadian Broadcasting Corporation v. His Majesty the King, et al.*(Man.) (Civil) (By Leave) ([38992](https://www.scc-csc.ca/case-dossier/info/sum-som-eng.aspx?cas=38992)) |

**Le 29 SEPTEMBRE 2023**

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| **DATE D’AUDITION** | **NOM DE LA CAUSE ET NUMÉRO** |
| 2023-10-11 | *Franck Yvan Tayo Tompouba c. Sa Majesté le Roi*(C.-B.) (Criminelle) (Autorisation) ([40332](https://www.scc-csc.ca/case-dossier/info/sum-som-fra.aspx?cas=40332)) |
| 2023-10-12 | *Jim Shot Both Sides, et al. c. Sa Majesté le Roi*(Féd.) (Civile) (Autorisation) ([40153](https://www.scc-csc.ca/case-dossier/info/sum-som-fra.aspx?cas=40153)) |
| 2023-10-13 | *Don Johnson c. Sa Majesté le Roi*(Ont.) (Criminelle) (De plein droit) ([40330](https://www.scc-csc.ca/case-dossier/info/sum-som-fra.aspx?cas=40330)) |
| 2023-10-16 | *Matelot de première classe C.D. Edwards, et al. c. Sa Majesté le Roi*(Féd.) (Criminelle) (Autorisation) ([39820](https://www.scc-csc.ca/case-dossier/info/sum-som-fra.aspx?cas=39820)) |
| *Sergent S.R. Proulx, et al. c. Sa Majesté le Roi*(Féd.) (Criminelle) (Autorisation) ([39822](https://www.scc-csc.ca/case-dossier/info/sum-som-fra.aspx?cas=39822)) |
| *Caporale K.L. Christmas c. Sa Majesté le Roi*(Féd.) (Criminelle) (Autorisation) ([40046](https://www.scc-csc.ca/case-dossier/info/sum-som-fra.aspx?cas=40046)) |
| *Lieutenant de vaisseau C.A.I. Brown c. Sa Majesté le Roi* (Féd.) (Criminelle) (Autorisation) ([40065](https://www.scc-csc.ca/case-dossier/info/sum-som-fra.aspx?cas=40065)) |
| *Sergent A.J.R. Thibault c. Sa Majesté le Roi*(Féd.) (Criminelle) (Autorisation) ([40103](https://www.scc-csc.ca/case-dossier/info/sum-som-fra.aspx?cas=40103)) |

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| 2023-10-17 | *Earthco Soil Mixtures Inc. c. Pine Valley Enterprises Inc.*(Ont.) (Civile) (Autorisation) ([40197](https://www.scc-csc.ca/case-dossier/info/sum-som-fra.aspx?cas=40197)) |
| 2023-10-18 | *York Region District School Board c. Elementary Teachers' Federation of Ontario*(Ont.) (Civile) (Autorisation) ([40360](https://www.scc-csc.ca/case-dossier/info/sum-som-fra.aspx?cas=40360)) |
| 2023-10-19 | *Canadian Broadcasting Corporation c. Sa Majesté le Roi, et al.*(Man.) (Civile) (Autorisation) ([38992](https://www.scc-csc.ca/case-dossier/info/sum-som-fra.aspx?cas=38992)) |

**- 2023 -**

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

**- 2024 -**

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| **JANUARY – JANVIER** | | | | | | | | |  | **FEBRUARY – FÉVRIER** | | | | | | | |  | **MARCH – MARS** | | | | | | |
| **S**  **D** | **M**  **L** | **T**  **M** | **W**  **M** | **T**  **J** | | **F**  **V** | | **S**  **S** |  | **S**  **D** | **M**  **L** | **T**  **M** | **W**  **M** | **T**  **J** | | **F**  **V** | **S**  **S** |  | **S**  **D** | **M**  **L** | **T**  **M** | **W**  **M** | **T**  **J** | **F**  **V** | **S**  **S** |
|  | **H**  1 | 2 | 3 | 4 | | 5 | | 6 |  |  |  |  |  | 1 | | 2 | 3 |  |  |  |  |  |  | 1 | 2 |
| 7 | 8 | 9 | 10 | 11 | | 12 | | 13 |  | 4 | 5 | 6 | 7 | 8 | | 9 | 10 |  | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| 14 | **CC**  15 | 15 | 17 | 18 | | 19 | | 20 |  | 11 | **CC**  12 | 13 | 14 | 15 | | 16 | 17 |  | 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| 21 | 22 | 23 | 24 | 25 | | 26 | | 27 |  | 18 | 19 | 20 | 21 | 22 | | 23 | 24 |  | 17 | **CC**  18 | 19 | **NR**  20 | 21 | 22 | 23 |
| 28 | 29 | 30 | 31 |  | |  | |  |  | 25 | 26 | 27 | 28 | 29 | |  |  |  | 24 /  31 | 25 | 26 | 27 | 28 | **H**  29 | 30 |
| **APRIL – AVRIL** | | | | | | | | |  | **MAY – MAI** | | | | | | | |  | **JUNE – JUIN** | | | | | | |
| **S**  **D** | **M**  **L** | **T**  **M** | **W**  **M** | **T**  **J** | | **F**  **V** | | **S**  **S** |  | **S**  **D** | **M**  **L** | **T**  **M** | **W**  **M** | **T**  **J** | | **F**  **V** | **S**  **S** |  | **S**  **D** | **M**  **L** | **T**  **M** | **W**  **M** | **T**  **J** | **F**  **V** | **S**  **S** |
|  | **H**  1 | 2 | 3 | 4 | | 5 | | 6 |  |  |  |  | 1 | 2 | | **OR**  3 | 4 |  |  |  |  |  |  |  | 1 |
| 7 | 8 | 9 | 10 | 11 | | 12 | | 13 |  | **OR**  5 | **OR**  6 | 7 | 8 | 9 | | 10 | 11 |  | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| 14 | **CC**  15 | 16 | 17 | 18 | | 19 | | 20 |  | 12 | 13 | 14 | 15 | 16 | | 17 | 18 |  | 9 | **CC**  10 | 11 | 12 | 13 | 14 | 15 |
| **RV**  21 | 22 | 23 | 24 | 25 | | 26 | | 27 |  | 19 | **H**  20 | 21 | 22 | 23 | | 24 | 25 |  | 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| 28 | 29 |  |  |  | |  | |  |  | 26 | 27 | 28 | 29 | 30 | | 31 |  |  | 23 /  30 | 24 | 25 | 26 | 27 | 28 | 29 |
| **JULY – JUILLET** | | | | | | | | |  | **AUGUST – AOÛT** | | | | | | | |  | **SEPTEMBER – SEPTEMBRE** | | | | | | |
| **S**  **D** | **M**  **L** | **T**  **M** | **W**  **M** | **T**  **J** | | **F**  **V** | | **S**  **S** |  | **S**  **D** | **M**  **L** | **T**  **M** | **W**  **M** | **T**  **J** | | **F**  **V** | **S**  **S** |  | **S**  **D** | **M**  **L** | **T**  **M** | **W**  **M** | **T**  **J** | **F**  **V** | **S**  **S** |
|  | **H**  1 | 2 | 3 | 4 | | 5 | | 6 |  |  |  |  |  | 1 | | 2 | 3 |  | 1 | **H**  2 | 3 | 4 | 5 | 6 | 7 |
| 7 | 8 | 9 | 10 | 11 | | 12 | | 13 |  | 4 | **H**  5 | 6 | 7 | 8 | | 9 | 10 |  | 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| 14 | 15 | 16 | 17 | 18 | | 19 | | 20 |  | 11 | 12 | 13 | 14 | 15 | | 16 | 17 |  | 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 21 | 22 | 23 | 24 | 25 | | 26 | | 27 |  | 18 | 19 | 20 | 21 | 22 | | 23 | 24 |  | 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 28 | 29 | 30 | 31 |  | |  | |  |  | 25 | 26 | 27 | 28 | 29 | | 30 | 31 |  | 29 | **H**  30 |  |  |  |  |  |
| **Sitting of the Court /**  **Séance de la Cour** | | | | |  | | **18 sitting weeks / semaines séances de la Cour**  **87 sitting days / journées séances de la Cour** | | | | | | | | **Rosh Hashanah / Nouvel An juif**  **Yom Kippur / Yom Kippour** | | | | | | **RH**  **YK** |
| **Court conference /**  **Conférence de la Cour** | | | | | **CC** | | **9 Court conference days /**  **jours de conférence de la Cour** | | | | | | | | **Orthodox Easter / Pâques orthodoxe**  **Naw-Rúz** | | | | | | **OR**  **NR** |
| **Holiday / Jour férié** | | | | | **H** | | **3 holidays during sitting days /**  **jours fériés durant les séances** | | | | | | | | **Ridván** | | | | | | **RV** |