

**SUPREME COURT
OF CANADA**



**COUR SUPRÊME
DU CANADA**

**BULLETIN OF
PROCEEDINGS**

**BULLETIN DES
PROCÉDURES**

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FILING DATE: 23.6.2003

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

Abraham Robert Cooper

v. (29661)

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

NATURE OF THE CASE

Criminal Law (Non Charter) - Procedural Law - Jury Charge - Appeal - Intent - Whether a jury charge survived a proper application of the functional approach on appeal - Whether it can ever be said that intent is not a live issue so as to relieve the Crown of its onus to properly prove intent to commit culpable homicide - Whether it can ever be said that intent is not a live issue so as to relieve the trial judge of the duty to properly describe the law in this regard in a jury charge.

PROCEDURAL HISTORY

October 6, 2000 Court of Queen's Bench of Alberta (Veit J.)	Conviction by jury of manslaughter
October 16, 2002 Court of Appeal of Alberta (Côté, Conrad and MacFadyen JJ.A.)	Appeal against conviction dismissed
March 17, 2003 Supreme Court of Canada	Applications for extension of time and leave to appeal filed

Walter Lothar Ebke

v. (29610)

The Federal Republic of Germany, The Minister of Justice and Attorney General of Canada (Crim.) (N.W.T.)

NATURE OF THE CASE

Criminal law - Extradition - Whether the Court of Appeal erred in concluding that ss. 32(1)(a), 32(1)(b), 33 and 34 of the *Extradition Act*, S.C. 1999, c. 18, do not contravene s. 7 of the *Canadian Charter of Rights and Freedoms* - Whether the Court of Appeal erred in concluding that the double criminality requirement under the *Extradition Act* and the *Treaty between Canada and the Federal Republic of Germany concerning Extradition* could be met if the conduct charged in the requesting State, had it occurred in Canada, would be an offence under Canadian law as at the date of the authority to proceed, even if it would not have been an offence under Canadian law when it is alleged to have occurred - Whether the Court of Appeal erred in concluding that the authority to proceed complied with s. 15 of the *Extradition Act* - Whether the Court of Appeal erred in concluding that the Minister of Justice did not commit reviewable error in finding that the necessary preconditions for extradition had been met and that there were no grounds upon which to refuse surrender.

PROCEDURAL HISTORY

February 23, 2001 Supreme Court of the Northwest Territories (Vertes J.)	Applicant's application for a declaration that ss. 32(1)(a), 32(1)(b), 33 and 34 of the <i>Extradition Act</i> violate s. 7 of the <i>Charter</i> dismissed
September 6, 2001 Supreme Court of the Northwest Territories (Vertes J.)	Respondent Federal Republic of Germany's application for the Applicant's extradition granted; Applicant's committal into custody for extradition ordered
July 31, 2002 Minister of Justice and Attorney General of Canada (Cauchon, Minister)	Applicant's surrender for extradition to Germany ordered
January 22, 2003 (reasons released March 3, 2003) Court of Appeal of the Northwest Territories (Richard, Hudson and Paperny JJ.A.)	Appeal of the order of committal and application for judicial review of surrender decision dismissed; Applicant committed to the custody of the Yellowknife Correctional Centre to await surrender
April 9, 2003 Supreme Court of Canada	Application for leave to appeal and motion to extend time filed

Claude Lehoux

c. (29668)

Commission de la Santé et de la Sécurité du travail (Qué.)

NATURE DE LA CAUSE

Droit administratif - Droit du travail - Contrôle judiciaire - Accidents de travail - *Loi sur les accidents et les maladies professionnelles* - Décision de la Cour d'appel est-elle manifestement déraisonnable? - Quelle est la norme de contrôle applicable? - Quels sont les interprétations possibles de l'article 71 de la *Loi sur les accidents et les maladies professionnelles* concernant les catégories d'emplois visés? - L'interprétation à l'effet que l'article 71 de la *Loi sur les accidents de travail et les maladies professionnelles* ne vise que les emplois à temps partiel est-elle non seulement préférable mais aussi la seule valide en droit, l'interprétation à contraire à l'effet que le même article vise également le temps plein n'étant pas raisonnablement fondée?

HISTORIQUE PROCÉDURAL

Le 26 mai 1998 Bureau de révision (Côté, président, Lemaire et Morin, membres)	Requête en révision du demandeur accueillie; décision de la Commission de la santé et de la sécurité au travail, infirmée
Le 18 mars 1999 Commission des lésions professionnelles (Thibault, commissaire)	Contestation de l'intimée, accueillie; décision infirmée en partie: demandeur a droit à une indemnité de remplacement du revenu
Le 1 novembre 1999 Commission des lésions professionnelles	Requête en révision du demandeur rejetée

(Perron, commissaire)

Le 11 juillet 2000
Cour supérieure du Québec
(De Grandpré, j.c.s.)

Requête en révision judiciaire du demandeur rejetée

Le 24 janvier 2003
Cour d'appel du Québec
(Chamberland, Rochon et Lemelin [ad hoc])

Appel rejeté

Le 1 avril 2003
Cour suprême du Canada

Demande d'autorisation d'appel déposée

Joyce Mary Schellak

v. (29638)

Janice Rae Barr and Andre Juan Duplessis (B.C.)

NATURE OF THE CASE

Torts - Personal injury - Damages - Method of calculation of damages awarded for past wage loss and loss of future income - Whether correct test to be applied to the assessment of past wage loss is on the “balance of probabilities” or on the basis of a “reasonable possibility”-Whether the Court of Appeal discriminated against the Applicant on the basis of gender by placing undue weight on her pre-accident earnings and employment history during a period in her life when her career was secondary to family obligations - Whether the Court of Appeal exceeded its jurisdiction in substituting its own findings of facts and evidentiary conclusions for those of the trial judge.

PROCEDURAL HISTORY

September 21, 2001
Supreme Court of British Columbia
(Martinson J.)

Applicant’s claim for damages for personal injuries allowed; Respondents ordered to pay \$811,362 in damages

December 10, 2001
Supreme Court of British Columbia
(Martinson J.)

Award of \$120,000 for past wage loss reduced to the net amount of \$69,000 pursuant to s.25 and 54 of the *Insurance (Motor Vehicle) Act*

January 2, 2003
Court of Appeal of British Columbia
(Esson, Donald and Thackray JJ.A.)

Appeal dismissed on the issue of non-pecuniary damages; appeal of the award of \$120,000 for past wage loss and \$570,000 for loss of future income allowed: figures reduced to \$70,000 and \$300,000 respectively

March 3, 2003
Supreme Court of Canada

Application for leave to appeal filed

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

Rory Eldon Foreman

v. (29741)

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

NATURE OF THE CASE

Criminal law - Hearsay evidence - Whether the Court of Appeal for Ontario erred in concluding that, where the prosecution seeks to prove an admission by an accused person through hearsay evidence, it is not necessary to establish the reliability of such double-hearsay evidence at each level of hearsay - Whether the Court of Appeal for Ontario erred in concluding that the hearsay evidence of alleged threats made by the Applicant to the deceased, elicited from the Crown witnesses Paul and Becky Litt, was admissible for the truth of its contents (i.e. for the fact that the threats were made and intended as threats) - Whether the Court of Appeal for Ontario erred in concluding that, if the evidence of Paul and Becky Litt was inadmissible, the Applicant's conviction should nonetheless be upheld by application of section 686(1)(b)(iii) of the *Criminal Code*, R.S.C. 1985, c. C-46

PROCEDURAL HISTORY

April 29, 1996 Ontario Court of Justice (Philp J.)	Utterances of deceased victim ruled admissible
May 23, 1996 Ontario Court of Justice (Philp J.)	Applicant convicted of first degree murder
November 15, 2002 Court of Appeal for Ontario (Doherty, Austin and Armstrong JJ.A.)	Appeal against conviction dismissed
April 30, 2003 Supreme Court of Canada	Application for leave to appeal filed
May 12, 2003 Supreme Court of Canada (Major J.)	Motion to extend time to file and/or serve the leave application to April 30, 2003, granted

Michele Coscia

v. (29705)

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

NATURE OF THE CASE

Criminal law - Offences - Whether subjective reaction by the recipient to words spoken is capable of supporting the conclusion that a threat to cause bodily harm has occurred beyond a reasonable doubt - Is appropriate test for the *mens rea* to prove the offence of threatening bodily harm or death whether accused subjectively intended to cause such a threat to be made?

PROCEDURAL HISTORY

March 14, 2000 Ontario Court of Justice (August J.)	Conviction: uttering a threat
September 19, 2000 Court of Appeal for Ontario (Rosenberg, Moldaver and Simmons JJ.A.)	Appeal dismissed
April 11, 2003 Supreme Court of Canada	Application for leave to appeal filed

Danielle Diane Vaillancourt

v. (29619)

Peter Molnar, Administrator of the Estate of Colin Sandor Molnar, Deceased (B.C.)

NATURE OF THE CASE

Torts - Damages - Procedural Law - Appeal - Standard of Review - Jury awards - Power of Court of Appeal to vary jury awards for damages in tort - Whether Court of Appeal failed to give effect to findings of the jury - Test to use when assessing a jury award of general damages that exceeds the cap or upper limit established for general damages - Whether Court of Appeal substituted its own findings for those of the jury- Whether Court of Appeal applied the wrong standard for review.

PROCEDURAL HISTORY

September 19, 2001 Supreme Court of British Columbia (Before Humphries J.)	Jury award of \$839,000 for general damages, past wage loss, future wage loss, future cost of care, special damages and an in trust claim
September 19, 2001 Supreme Court of British Columbia (Humphries J.)	General damages reduced, damages for future cost of care and past wage loss reduced
December 18, 2002 Court of Appeal of British Columbia	Respondent's appeal allowed in part; General damages

(Prowse, Levine and Thackray J.J.A.)

reduced, damages for future cost of care and future wage loss reduced

February 14, 2003
Supreme Court of Canada

Application for leave to appeal filed

Emile Mennes

v. (29669)

Lucie McClung, Ole Ingstrup, Michel Roy, Karen Wiseman, Liz Eshkrod, The Commissioner of Corrections and Correctional Service of Canada (F.C.A.)

NATURE OF THE CASE

Administrative law - Judicial review - Delegation of powers - Statutes - Interpretation - Whether the delegation of powers by the Commissioner of Corrections to the Acting Assistant Commissioner to hear the Third level appeal of the Applicant's grievance was authorized by sections 2(2), 97 and 98 of the *Corrections and Conditional Release Act*, S.C. 1992, c. 20, subsection 24(5) of the *Interpretation Act*, R.S.C. 1985, c. I-21 and Directive 081.

PROCEDURAL HISTORY

December 7, 2001
Federal Court of Canada, Trial Division
(Blais J.)

Applicant's application for judicial review of decision rendered by Acting Assistant Commissioner Wiseman, dismissed

February 18, 2003
Federal Court of Appeal
(Desjardins, Létourneau and Evans J.J.A.)

Appeal dismissed

March 13, 2003
Supreme Court of Canada

Application for leave to appeal filed

**CORAM: Iacobucci, Binnie and LeBel JJ. /
Les juges Iacobucci, Binnie et LeBel**

Behrooz Poursadeghi

c. (27329)

Sa Majesté la Reine (Crim.) (Qué.)

NATURE DE LA CAUSE

Droit criminel - Verdict - Impasse du jury - Verdict déraisonnable - La Cour d'appel du Québec a-t-elle erré en refusant de conclure que l'incapacité du jury de rendre un verdict à l'égard d'un chef d'accusation démontrait le caractère déraisonnable des verdicts de culpabilité prononcés par le premier jury ? - La Cour d'appel du Québec a-t-elle erré en refusant de conclure que le verdict d'acquiescement prononcé par le second jury appuyait la conclusion qu'il y a eu erreur judiciaire en l'espèce?

HISTORIQUE PROCÉDURAL

Le 21 octobre 1996
Cour supérieure du Québec
(Le juge Greenberg)

Demandeur déclaré coupable de séquestration, proférer des menaces et administrer une substance contrairement aux art. 279.2, 264(1)a et 245b) du *Code criminel*; impasse du jury sur l'accusation d'agression sexuelle armée contrairement à l'art. 272(1)a) du *Code*

Le 20 mars 1997
Cour supérieure du Québec
(Le juge Zigman)

Demandeur acquitté d'agression sexuelle armée

Le 8 décembre 1998
Cour d'appel du Québec
(La juge Deschamps)

Requête pour extension du délai d'appel afin d'obtenir l'autorisation d'en appeler d'un verdict; rejetée

Le 21 juin 1999
Cour suprême du Canada

Requête en prorogation de délai pour présenter une demande d'autorisation d'appel; accordée. Le délai est fixé au 30 septembre 1999.

Le 18 novembre 1999
Cour suprême du Canada

Seconde requête en prorogation de délai pour présenter une demande d'autorisation d'appel; rejetée

Le 14 novembre 2002
Cour d'appel du Québec
(Les juges Beauregard, Nuss et Pelletier)

Appel sur le verdict de culpabilité; rejeté

Le 5 mai 2003
Cour suprême du Canada

Demandes d'autorisation d'appel et de prorogation de délais déposées

Ken McDonald

v. (29708)

Korean Air (Ont.)

NATURE OF THE CASE

Torts - Damages - Action for damages commenced against Respondent alleging that it failed to warn the Applicant of the risk of deep vein thrombosis (DVT) on long flights and failed to take measures to reduce the risk - Motion successfully brought to strike the statement of claim on the basis that it discloses no reasonable cause of action - Liability of an international air carrier is governed by the Warsaw Convention, which has been incorporated into the *Carriage by Air Act*, RSC, c. C-26 - Whether DVT on board an aircraft is an accident within the meaning of Article 17 of the Warsaw Convention and pursuant to *Air France v. Saks*, 105 S.Ct. 1338 (1985) - Whether the lower courts erred in interpreting the definition of accident pursuant to Article 17 of the Warsaw Convention - Principles of statutory interpretation - How should this limitation of liability be interpreted - Whether there is a novel point of law which is not settled and is under consideration by courts worldwide.

PROCEDURAL HISTORY

September 18, 2002
Ontario Superior Court of Justice
(Hermiston J.)

Applicant's action for damages dismissed

February 18, 2003
Court of Appeal for Ontario
(Abella, Moldaver and Simmons J.J.A.)

Appeal dismissed

April 17, 2003
Supreme Court of Canada

Application for leave to appeal filed

Me Pierre Legault

c. (29719)

Me Yves Larivée, ès qualité de syndic de la Chambre des notaires du Québec

- et -

Tribunal des professions (Qué.)

NATURE DE LA CAUSE

Droit administratif - Contrôle judiciaire - Droit des professions - Plainte disciplinaire - Conflit d'intérêts - Le Comité de discipline a-t-il agi abusivement en reprochant au demandeur d'avoir contrevenu à l'art. 3.04.03 du *Code de déontologie des notaires*, R.R.Q. 1981, ch. N-2, r. 3, et ce, malgré que le demandeur avait dénoncé la situation de conflit d'intérêts à ses clients conformément à l'art. 3.04.04 du même *Code*? - Le Comité de discipline a-t-il fait fi des art. 32 et 33 de la *Loi sur le notariat*, L.R.Q., ch. N-2, et des enseignements publiés par la Chambre des notaires du Québec? - Est-ce que la décision du Tribunal des professions de maintenir la décision du Comité de discipline en ce qui a trait aux chefs 1 et 9 est manifestement déraisonnable?

HISTORIQUE PROCÉDURAL

Le 2 mars 2001
Chambre des notaires du Québec, Comité de discipline
(Paquet, Président, Martin et Michaud)

Demandeur déclaré coupable de neuf infractions au
Code de déontologie des notaires

Le 6 juillet 2001
Chambre des notaires du Québec, Comité de discipline
(Paquet, Président, Martin et Michaud)

Demandeur condamné à deux périodes concurrentes de
radiation de trois mois pour les chefs 1 et 9 de la plainte
disciplinaire et à une amende totale de 9 600\$

Le 15 août 2002
Tribunal des professions
(Lafontaine, Sylvestre et Lavergne jj.c.q.)

Appel sur culpabilité accueilli en partie: demandeur
déclaré non coupable du chef 10 de la plainte; appel sur
sanction accueilli en partie: décision sur sanction rendue
par la Chambre des notaires maintenue sauf quant au
chef 10; demandeur condamné à payer 75% des
déboursés

Le 5 novembre 2002
Cour supérieure du Québec
(Lagacé j.c.s.)

Requête du demandeur en évocation, en contrôle
judiciaire et en sursis rejetée

Le 21 février 2003
Cour d'appel du Québec
(Robert j.c.q., Nuss et Morin jj.c.a.)

Appel rejeté

Le 22 avril 2003
Cour suprême du Canada

Demande d'autorisation d'appel déposée

Evangelos Exarhos

v. (29675)

William I. Miller (Que.)

NATURE OF THE CASE

Procedural law - Appeal - Motion to dismiss appeal - Action in damages - Impossibility to argue a case in front of the Court of Appeal as a consequence of the illness.

PROCEDURAL HISTORY

October 23, 2002
Superior Court of Quebec
(Monast, J.)

Applicant's action in damages dismissed

February 3, 2003
Court of Appeal of Quebec
(Rothman, Rousseau-Houle and Dalphond, JJ.A.)

Appeal dismissed

March 28, 2003
Supreme Court of Canada

Application for leave to appeal filed

24.6.2003

Before / Devant : ARBOUR J.

Motion for leave to intervene

Requête en autorisation d'intervention

BY/PAR: Johnston & Johnson Inc.,
Expandable Grafts Partnership and
Cordis Corporation

IN/DANS: Dutch Industries Ltd.

v. (29738)

Barton No-Till Disk Inc. and Flexi-
Coil Ltd., et al. (F.C.)

DISMISSED / REJETÉE

UPON APPLICATION by Johnston & Johnson Inc., Expandable Grafts Partnership and Cordis Corporation, for leave to intervene in the application for leave to appeal;

AND HAVING READ the material filed;

IT IS HEREBY ORDERED:

The applicants are seeking leave to intervene in an application for leave to appeal. They acknowledge, rightly, that interventions in the leave process are rarely granted (*Gamble v. R.* (20433) (June 12, 1987), *Crown Trust v. Ontario (Attorney General)* (17823) (September 15, 1983), and *Eastmain Band v. Robinson* (23382) (March 12, 1993)).

The applicants' proposed intervention does not add in any significant way to the issues joined between the parties as to whether the decision of the Federal Court of Appeal raises issues of public or national importance. The motion is dismissed.

24.6.2003

Before / Devant : ARBOUR J.

Motion to extend the time in which to serve and file the leave application (further to a notice under Rule 64 of the Rules of the Supreme Court of Canada)

Requête en prorogation du délai pour signifier et déposer la demande d'autorisation (à la suite d'un avis donné en vertu de la règle 64 des Règles de la Cour suprême du Canada)

Canadian Pacific Limited, et al.

v. (29427)

Attorney General of Canada, on behalf of Her Majesty the Queen in Right of Canada, et al. (B.C.)

GRANTED IN PART / ACCORDÉE EN PARTIE

UPON APPLICATION by the applicant, Canadian Pacific Ltd.:

(a) for an order extending the time to file the documents required to complete their application for leave to appeal to 10 days after the date on which the last of the British Columbia Court of Appeal's Orders are entered with the British Columbia Court of Appeal; or

(b) in the alternative, for an order extending the time to file the Court of Appeal Orders 60 days after this Court's order with respect to paragraph (a).

AND HAVING READ the material filed;

IT IS HEREBY ORDERED THAT:

The extension of time is granted. The applicant must serve and file the required Court of Appeal Orders within 60 days of the date of this Order, failing which the applicant may seek a further extension.

25.6.2003

Before / Devant : THE REGISTRAR

Motion to extend the time in which to serve and file the book of authorities of the interveners Songhees Indian Band et al.

Requête en prorogation du délai imparti pour signifier et déposer le recueil de jurisprudence et de doctrine des intervenants la Bande Indienne Songhees et autres

Her Majesty the Queen in Right of the Province of British Columbia, as represented by the Minister of Forests

v. (28988)

Chief Dan Wilson, in his personal capacity and as representative of the Okanagan Indian Band, et al. (B.C.)

- and between -

Her Majesty the Queen in Right of the Province of British Columbia, as represented by the Minister of Forests

v. (28981)

Chief Ronnie Jules, in his personal capacity and as representative of the Adams Lake Band, et al. (B.C.)

GRANTED / ACCORDÉE Time extended to May 28, 2003.

25.6.2003

Before / Devant : THE REGISTRAR

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

Requête en prorogation du délai imparti pour signifier et déposer le recueil de jurisprudence et de doctrine de l'intervenant le procureur général du Québec

Her Majesty the Queen in Right of the Province of British Columbia, as represented by the Minister of Forests

v. (28988)

Chief Dan Wilson, in his personal capacity and as representative of the Okanagan Indian Band, et al. (B.C)

- and between -

Her Majesty the Queen in Right of the Province of British Columbia, as represented by the Minister of Forests

v. (28981)

Chief Ronnie Jules, in his personal capacity and as representative of the Adams Lake Band, et al. (B.C.)

GRANTED / ACCORDÉE Time extended to May 23, 2003.

25.6.2003

Before / Devant : THE REGISTRAR

Motion to file supplementary materials

Requête visant à déposer des documents supplémentaires

Marie Lebbad (Labbad)

c. (29688)

Hôpital du Sacré-Coeur de Montréal, et al. (Qué.)

DISMISSED / REJETÉE

26.6.2003

Before / Devant : ARBOUR J.

Motion to amend the application for leave to appeal

Requête visant à modifier la demande d'autorisation d'appel

Régie intermunicipale de gestion des déchets de la Mauricie

c. (29571)

Service spécial de vidanges inc. et al. (Qué.)

GRANTED, COSTS IN THE CAUSE / ACCORDÉE, DÉPENS À SUIVRE LE SORT DE LA DEMANDE D'AUTORISATION D'APPEL

À LA SUITE D'UNE DEMANDE de la demanderesse visant à obtenir une ordonnance permettant d'amender le quatrième motif au soutien de sa demande d'autorisation d'appel;

ET APRÈS AVOIR PRIS CONNAISSANCE de la documentation déposée;

L'ORDONNANCE SUIVANTE EST RENDUE;

La demanderesse est autorisée à amender le quatrième motif au soutien de sa demande d'autorisation d'appel conformément au texte de l'annexe A annexée à la requête pour permission d'amender la demande d'autorisation d'appel.

La demanderesse est aussi autorisée à déposer des pièces additionnelles au soutien du quatrième motif de sa demande d'autorisation d'appel.

Les intimées ont 10 jours de cette ordonnance pour déposer une réponse amendée.

Les dépens suivront le sort de la demande d'autorisation d'appel.

26.6.2003

Before / Devant : ARBOUR J.

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

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

Retail, Wholesale and Department Store Union, Local 454, et al.

v. (29826)

Canada Safeway Limited (Sask.)

DISMISSED WITH COSTS / REJETÉE AVEC DÉPENS

UPON APPLICATION by the applicants for an order extending the time to serve and file an application for leave to appeal to June 16, 2003;

AND HAVING READ the material filed;

IT IS HEREBY ORDERED THAT:

The applicants have not shown sufficient diligence in the pursuit of their intention to appeal the October 2000 judgment of the Saskatchewan Court of Appeal. Considering the proposed grounds of appeal and the lack of diligence, there are no special circumstances that would permit excusing a delay of more than 2½ years in filing an application for leave to appeal.

The motion for an extension of time is dismissed, with costs to the respondent.

DEADLINES: APPEALS

The Fall Session of the Supreme Court of Canada will commence October 6, 2003.

The Supreme Court of Canada has enacted new rules that came into force on June 28, 2002.

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

1) For notices of appeal filed on and after June 28, 2002

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.

2) For notices of appeal filed before June 28, 2002

Appellant's record; appellant's factum; and appellant's book(s) of authorities must be filed within four months of the filing of the notice of appeal.

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

Intervener's factum and intervener's book(s) of authorities, if any, must be filed within four weeks of the date of service of the respondent's factum, unless otherwise ordered.

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

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'automne de la Cour suprême du Canada commencera le 6 octobre 2003.

La Cour suprême du Canada a adopté de nouvelles règles qui sont entrées en vigueur le 28 juin 2002.

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

1) Pour les avis d'appel déposés le ou après le 28 juin 2002

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.

2) Pour les avis d'appel déposés avant le 28 juin 2002

Le dossier de l'appelant, son mémoire et son recueil de jurisprudence et de doctrine doivent être déposés dans les quatre mois du dépôt de l'avis d'appel.

Le dossier de l'intimé (le cas échéant), son mémoire et son recueil de jurisprudence et de doctrine doivent être déposés dans les huit semaines suivant la signification 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 quatre semaines suivant la signification du mémoire de l'intimé, sauf ordonnance contraire.

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

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 REPORTS

RECUEIL DES ARRÊTS DE LA COUR SUPRÊME

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

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

Judgments reported in [2002] 2 S.C.R. Part 3

Bell Express Vu Limited Partnership v. Rex,
[2002] 2 S.C.R. 559, 2002 SCC 42

Berry v. Pulley, [2002] 2 S.C.R. 493, 2002 SCC 40

Gronnerud (Litigation Guardians of) v. Gronnerud Estate, [2002] 2 S.C.R. 417, 2002 SCC 38

R. v. Carlos, [2002] 2 S.C.R. 411, 2002 SCC 35

R. v. Hibbert, [2002] 2 S.C.R. 445, 2002 SCC 39

R. v. S.G.F., [2002] 2 S.C.R. 416, 2002 SCC 37

R. v. V.C.A.S., [2002] 2 S.C.R. 414, 2002 SCC 36

Sierra Club of Canada v. Canada (Minister of Finance),
[2002] 2 S.C.R. 522, 2002 SCC 41

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Bank of America Canada v. Mutual Trust Co.,
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Family Insurance Corp. v. Lombard Canada Ltd.,
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First Vancouver Finance v. M.N.R.,
[2002] S.C.R. 720, 2002 SCC 49

Heredi v. Fensom, [2002] S.C.R. 741, 2002 SCC 50

R. v. Perciballi, [2002] S.C.R. 761, 2002 SCC 51

R.C. v. Quebec (Attorney General); R. v. Beauchamps,
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Stewart v. Canada, [2002] S.C.R. 645, 2002 SCC 46

Tremblay v. Syndicat des employées et employés professionnels-les et de bureau, section locale 57,
[2002] S.C.R. 627, 2002 SCC 44

Walls v. Canada, [2002] S.C.R. 684, 2002 SCC 47

Judgments reported in [2002] 2 S.C.R. Part 5

Jugements publiés dans [2002] 2 R.C.S. Partie 3

Bell Express Vu Limited Partnership c. Rex,
[2002] 2 R.C.S. 559, 2002 CSC 42

Berry c. Pulley, [2002] 2 R.C.S. 493, 2002 CSC 40

Gronnerud (Tuteurs à l'instance de) c. Succession Gronnerud, [2002] 2 R.C.S. 417, 2002 CSC 38

R. c. Carlos, [2002] 2 R.C.S. 411, 2002 CSC 35

R. c. Hibbert, [2002] 2 R.C.S. 445, 2002 CSC 39

R. c. S.G.F., [2002] 2 R.C.S. 416, 2002 CSC 37

R. c. V.C.A.S., [2002] 2 R.C.S. 414, 2002 CSC 36

Sierra Club du Canada c. Canada (Ministre des finances), [2002] 2 R.C.S. 522, 2002 CSC 41

Jugements publiés dans [2002] 2 R.C.S. Partie 4

Banque d'Amérique du Canada c. Société de Fiducie Mutuelle, [2002] R.C.S. 601, 2002 CSC 43

Family Insurance Corp. c. Lombard du Canada ltée.,
[2002] R.C.S. 695, 2002 CSC 48

First Vancouver Finance c. M.R.N.,
[2002] R.C.S. 720, 2002 CSC 49

Heredi c. Fensom, [2002] R.C.S. 741, 2002 CSC 50

R. c. Perciballi, [2002] R.C.S. 761, 2002 CSC 51

R.C. c. Québec (Procureur général); R. c. Beauchamps,
[2002] 2 R.C.S. 762, 2002 CSC 52

Stewart c. Canada, [2002] R.C.S. 645, 2002 CSC 46

Tremblay c. Syndicat des employées et employés professionnels-les et de bureau, section locale 57,
[2002] R.C.S. 627, 2002 CSC 44

Walls c. Canada [2002] R.C.S. 684, 2002 CSC 47

Jugements publiés dans [2002] 2 R.C.S. Partie 4

Lavigne v. Canada (Office of the Commissioner of
Official Languages), [2002] S.C.R. 773, 2002 SCC 53

R. v. Burke, [2002] S.C.R. 857, 2002 SCC 55

R. v. Handy, [2002] S.C.R. 908, 2002 SCC 56

Ross River Dena Council Band v. Canada,
[2002] S.C.R. 816, 2002 SCC 54

Lavigne c. Canada (Commissariat aux langues
officielles), [2002] R.C.S. 773, 2002 CSC 53

R. c. Burke, [2002] R.C.S. 857, 2002 CSC 55

R. c. Handy, [2002] R.C.S. 908, 2002 CSC 56

Conseil de la bande dénée de Ross River c. Canada
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04-07-2002

OCTOBER - OCTOBRE						
S	M	T	W	T	F	S
D	L	M	M	J	V	S
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DECEMBER - DECEMBRE						
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JANUARY - JANVIER						
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FEBRUARY - FÉVRIER						
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JUNE - JUIN						
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27	28	29	30			

Sittings of the court:
Séances de la cour:

Motions:
Requêtes:

Holidays:
Jours fériés:



18 sitting weeks/semaines séances de la cour
87 sitting days/journées séances de la cour
9 motion and conference days/ journées requêtes.conférences
3 holidays during sitting days/ jours fériés durant les sessions