

**SUPREME COURT  
OF CANADA**



**COUR SUPRÊME  
DU CANADA**

**BULLETIN OF  
PROCEEDINGS**

**BULLETIN DES  
PROCÉDURES**

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**CONTENTS****TABLE DES MATIÈRES**

---

Applications for leave to appeal filed	44-46	Demandes d'autorisation d'appel déposées
Applications for leave submitted to Court since last issue	47-54	Demandes soumises à la Cour depuis la dernière parution
Oral hearing ordered	-	Audience ordonnée
Oral hearing on applications for leave	55	Audience sur les demandes d'autorisation
Judgments on applications for leave	-	Jugements rendus sur les demandes d'autorisation
Judgment on motion	-	Jugement sur requête
Motions	56-66	Requêtes
Notice of reference	-	Avis de renvoi
Notices of appeal filed since last issue	67	Avis d'appel déposés depuis la dernière parution
Notices of intervention filed since last issue	-	Avis d'intervention déposés depuis la dernière parution
Notices of discontinuance filed since last issue	-	Avis de désistement déposés depuis la dernière parution
Appeals heard since last issue and disposition	68-69	Appels entendus depuis la dernière parution et résultat
Pronouncements of appeals reserved	-	Jugements rendus sur les appels en délibéré
Remand	-	Renvoyé
Rehearing	-	Nouvelle audition
Headnotes of recent judgments	-	Sommaires des arrêts récents
Agenda	-	Calendrier
Summaries of the cases	-	Résumés des affaires
Notices to the Profession and Press Release	-	Avis aux avocats et communiqué de presse
Deadlines: Appeals	71	Délais: Appels
Judgments reported in S.C.R.	72	Jugements publiés au R.C.S.

**APPLICATIONS FOR LEAVE TO  
APPEAL FILED**

**Richard L. Corriveau**  
William Noonan  
Hickson, Noonan

c. (29817)

**Sa Majesté la Reine (Qc)**  
Paul Roy  
P.G. du Québec

DATE DE PRODUCTION : 12.12.2003

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**Jonathan Ching Chang**  
Paul L. Moreau  
Paul L. Moreau Professional Corp.

v. (30097)

**Her Majesty the Queen (Alta.)**  
Donna R. Valgardson  
A.G. of Canada

FILING DATE: 19.12.2003

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**Darlene Cottrelle, et al.**  
Paul J. Bates  
Cassels, Brock & Blackwell

v. (30109)

**Alexander B. Gerrard (Ont.)**  
David I. Hamer  
McCarthy, Tétrault

FILING DATE: 23.12.2003

---

**Régent Lessard**  
Jean Carol Boucher  
Boucher & Associés

c. (30115)

**Ville La Prairie, et autres (Qc)**  
Richard Coutu  
Dunton, Rainville

DATE DE PRODUCTION : 23.12.2003

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**DEMANDES D'AUTORISATION  
D'APPEL DÉPOSÉES**

**Rofia Aghabeigi**  
J.M. Peter Firestone  
Firestone & Tyhurst

v. (30016)

**Her Majesty the Queen (B.C.)**  
Kenneth J. Yule, Q.C.  
A.G. of Canada

FILING DATE: 23.12.2003

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**Joseph Marino, et al.**  
Calin Lawrynnowicz  
Lawrynnowicz & Associates

v. (30107)

**DBM Capital Corp. (Ont.)**  
Michael J. Valente  
Scarfone Hawkins

FILING DATE: 23.12.2003

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**Hermil Lebel**  
Serge Morin  
Boulianne, Morin

c. (30102)

**Sa Majesté la Reine (Qc)**  
Dominique Benoit  
Bernard, Roy & Associés

DATE DE PRODUCTION : 23.12.2003

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**Robert Armstrong**  
Clayton C. Ruby  
Ruby & Edwardh

v. (30105)

**Her Majesty the Queen (Ont.)**  
David M. Lepofsky  
A.G. of Ontario

FILING DATE: 23.12.2003

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**Lafferty, Harwood & Partners Ltd., et al. (Qc)**

Mark Bantey  
Gowling, Lafleur, Henderson

v. (30103)

**Jacques Parizeau, et al. (Que.)**

Yvan Bolduc  
Heenan, Blaikie

FILING DATE: 23.12.2003

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**Adil Charkaoui**

Johanne Doyon  
Doyon, Morin

c. (30104)

**Le Ministre de la Citoyenneté et de l'immigration,  
et autre (C.F.)**

Daniel Latulippe  
P.G. du Canada

DATE DE PRODUCTION : 24.12.2003

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**Joanne Leonelli - Contino**

D. Smith  
MacDonald & Partners

v. (30100)

**Joseph Contino (Ont.)**

Joseph Contino

FILING DATE: 24.12.2003

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**Tracey Ferguson**

Kirk H. Wirsig  
Hanson, Wirsig, Matheos

v. (30111)

**John Lush (B.C.)**

Deborah Taylor  
Lindsay, Kenney

FILING DATE: 29.12.2003

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**Constantin Panousis**

Marvin R. Bloos  
Beresh, Depoe, Cunningham

v. (30073)

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

Erika Bottcher  
A.G. of Canada

FILING DATE: 29.12.2003

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**Club Juridique**

Club Juridique

c. (30110)

**Procureur général du Canada (C.F.)**

Bruno Levasseur  
P.G. du Canada

DATE DE PRODUCTION : 29.12.2003

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**Stewart Roy Smith**

Brian E. Devlin, Q.C.  
O'Brien, Devlin, Markey, Macleod

v. (30049)

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

David Marriot  
A.G. of Alberta

FILING DATE: 29.12.2003

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**Barbara Haight-Smith**

Barbara Haight-Smith

v. (30112)

**Attorney General of Canada (F.C.)**

Carl C. Januszczak  
A.G. of Canada

FILING DATE: 29.12.2003

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**Ferme Geléry Inc.**

Johanne Brodeur  
Brodeur, Lord, Hotte

c. (30116)

**Steven John Schneeberger**

Christopher Elgin  
Elgin, Cannon & Associates

v. (30124)

**La Municipalité de Laverlochère, et autre (Qc)**

Denise Descôteaux  
Fontaine, Descôteaux, Beaudet

DATE DE PRODUCTION : 30.12.2003

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**The Minister of Citizenship and Immigration  
(F.C.)**

William B. Hardstaff  
A.G. of Canada

FILING DATE: 9.1.2004

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**Abattoir A. Trahan Transformation Inc., et autre**

Marc Simard  
Bélanger, Sauvé

c. (30114)

**Fédération des producteurs de porcs du Québec  
(Qc)**

Claude Savoie  
Tremblay, Brosseau, Fleury, Savoie

DATE DE PRODUCTION : 31.12.2003

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**Lafontaine-Rish Medical Group Ltd., et al.**

David B. Cousins

v. (30119)

**Marta Erdelyi (Ont.)**

Sylvia L. Tint  
Wilson, Lewis

FILING DATE: 7.1.2004

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**Caroline Martin**

Caroline Martin

v. (29917)

**Alberta Mental Health Board (Alta.)**

Craig Neuman  
Neuman, Thompson

FILING DATE: 8.1.2004

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**JANUARY 12, 2004 / LE 12 JANVIER 2004**

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

**E.B.**

**v. (29890)**

**Order of the Oblates of Mary Immaculate in the Province of British Columbia (B.C.)**

**NATURE OF THE CASE**

Torts - Vicarious liability - Residential school - Employee of religious community sexually assaulting minor on a regular and frequent basis over a period of four to five years - Whether the Court of Appeal erred by overlooking and contradicting the trial judge's factual findings - Whether the Court of Appeal erred by disregarding the operational characteristics of the Indian Residential School as a factor relevant to determining vicarious liability - Whether the Court of Appeal's errors will prejudice pending claims of vicarious liability for sexual assault in the Indian Residential School context.

**PROCEDURAL HISTORY**

December 19, 2001 Supreme Court of British Columbia (Cohen J.)	Applicant's action in damages for sexual assault granted; Respondent ordered to pay \$233,400
May 15, 2003 Court of Appeal for British Columbia (Esson, Hall, Saunders, Low and Smith JJ.A.)	Appeal allowed; cause remitted to trial court for further proceedings
August 14, 2003 Supreme Court of Canada	Application for leave to appeal filed
November 16, 2003 Supreme Court of Canada	Motion to file a supplementary memorandum of argument granted

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**Dynamex Canada Inc.**

**v. (29932)**

**Adele Victoria Mamona and Randolph William Hepner and Robert Philip Cyr and the Attorney General of  
Canada (F.C.A.)**

**NATURE OF THE CASE**

Administrative law - Judicial review - Statutes - Interpretation - Whether two (2) standards of review were erroneously applied to a single decision - Whether the standard of reasonableness was erroneously applied because it involves a question of mixed fact and law.

**PROCEDURAL HISTORY**

August 9, 2000 (Taylor, Referee)	Respondents Mamona, Hepner and Cyr found to be employees and not independent contractors of Applicant
April 9, 2002 Federal Court of Canada, Trial Division (Kelen J.)	Application for judicial review dismissed
June 4, 2003 Federal Court of Appeal (Décary, Linden and Sharlow JJ.A.)	Appeal dismissed
September 4, 2003 Supreme Court of Canada	Application for leave to appeal filed
October 31, 2003 Supreme Court of Canada (Fish J.)	Motion to extend time to file and/or serve the leave application granted

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**Vasile (Willy) Dorus and Vianney Maria Dorus**

**v. (29784)**

**John G. Taylor, Mr. Michael P. Lipkewich, Mr. Dan B. Rogness, Mr. Howard C. Chu, Mr. David A. Thompson, Mr. Richard A. Mundie, Ms. Karen L. Dunfee, Mr. Larry A. Macwood, Mr. Norman B. Rudden and Mr. George Stevens (B.C.)**

**NATURE OF THE CASE**

Torts - Intentional torts - Commercial law - Company law - Corporate liability - Personal liability of corporate officers - Corporate veil - Unjust enrichment - No cause of action against personal defendants - Whether the directing minds of a company should be held personally liable for conspiracy if their acts are unlawful, malicious, dishonest and fraudulent -- Whether the directing minds of a company should be held personally liable for violating their own workers' human and constitutional rights, even if they claim that only the company gains financially or otherwise - Whether the directing minds that commit unlawful, fraudulent or other harmful acts for which an ordinary person would be liable, should be able to hide behind the "corporate veil" and claim that they acted for the benefit of the company - Whether the indemnification offered by a company to its directors can be seen as an encouragement or invitation to put company profits above the law.

**PROCEDURAL HISTORY**

August 17, 2001 Supreme Court of British Columbia (Gill J.)	Applicants' claim against the personal Respondents, struck out
April 15, 2002 Court of Appeal for British Columbia (Donald J.A.)	Applicants' application for an extension of time to file notice of application to appeal, dismissed
March 20, 2003 Court of Appeal for British Columbia (Huddart, Hall and Mackenzie JJ.A.)	Applicants' application to vary an order dismissing an application to extend time in which to commence an appeal, dismissed

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May 16, 2003  
Supreme Court of Canada

Application for leave to appeal and motion to extend time  
filed

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

**Robert Lavigne**

**v. (30035)**

**Canada Post Corporation (F.C.)**

**NATURE OF THE CASE**

Labour law - Administrative law - Privacy law - Jurisdiction - Collective agreement - Dispute arising from the application of a seniority tie-breaker clause in the collective agreement - Whether the Federal Court erred in finding that it lacked jurisdiction *ratione materiae* to hear the dispute - Whether the action arises under the *Privacy Act*, R.S.C., c. P-21, due to use of personal information in contravention with s. 7 of the *Privacy Act* - Whether procedural fairness can oust the exclusive jurisdiction of the grievance arbitrator

**PROCEDURAL HISTORY**

August 14, 2002  
Federal Court of Canada, Trial Division  
(Morneau, Prothonotary)

Respondent's motion for an order striking the Applicant's statement of claim, granted : Applicant's action pursuant to s. 17(1), (2)(b) and 48 of the *Federal Court Act*, arising from a complaint for use by the Respondent of the Applicant's personal information in contravention with s. 7 of the *Privacy Act*, dismissed

September 30, 2002  
Federal Court of Canada, Trial Division  
(Tremblay-Lamer J.)

Appeal dismissed

June 3, 2003  
Federal Court of Appeal  
(Desjardins, Létourneau and Noël JJ.A. )

Appeal dismissed

September 10, 2003  
Federal Court of Appeal  
(Desjardins, Létourneau and Noël JJ.A.)

Applicant's motion under section 37.1 of the *Supreme Court Act* for leave to appeal to the Supreme Court of Canada, dismissed

November 5, 2003  
Supreme Court of Canada

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

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**The Great American Insurance Company and The Chateau Insurance Company**

**v. (29874)**

**Father Francis Reed, The Roman Catholic Episcopal Corporation for the Diocese of Sault Ste. Marie in Canada, The Continental Insurance Company, Ecclesiastical Insurance Office plc, The Phoenix Assurance Company Limited, The Phoenix Assurance Company of Canada and The Continental Insurance Company of Canada (Ont.)**

**NATURE OF THE CASE**

Commercial law – Insurance – Duty to defend and indemnify – Plaintiff brought action against parish priest and Diocese alleging sexual assault – Settlement entered into with Plaintiff and third party insurers, other than Applicants – Whether the decision of the Ontario Court of Appeal is in conflict with decisions of the Alberta and British Columbia Court of Appeal, as well as American appellate decisions – Whether there should be a presumption that the parties to an insurance contract intended to exclude, rather than to include, coverage for sexual assault claims arising from intentional misconduct – Whether the same term found in different parts of an insurance policy, or any other contract, should be accorded the same meaning unless there is some good and valid reason for doing otherwise – Whether the provisions of an insurance policy, or any other contract, should not be interpreted in a manner that creates unexplained anomalies – Whether a clause in an insurance policy, or any other contract, should not be interpreted in a manner that renders part of that clause meaningless – Whether a single word, such as “the”, should not be given governing weight without considering that word in the context of the insurance policy, or other contract, as a whole and in accordance with the presumed intention of the parties – Whether the question of insurance coverage for clergy members who allegedly commit sexual misconduct is a matter of national importance?

**PROCEDURAL HISTORY**

December 15, 2000  
Ontario Superior Court of Justice  
(Wilkins J.)

Applicants’ insurance policy found to provide coverage for Respondents Reed and Diocese with a duty under it to defend and indemnify

September 7, 2001  
Ontario Superior Court of Justice  
(Wilkins J.)

Judgment with respect to apportionment of liability between third party insurers and costs

May 13, 2003  
Court of Appeal for Ontario  
(McMurtry C.J.O., Doherty and Gillese JJ.A.)

Applicants’ appeal dismissed; cross-appeal allowed in part

July 25, 2003  
Supreme Court of Canada

Application for leave to appeal filed

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**Société en commandite Sainte-Hélène**

**c. (30051)**

**G.M. Développement Inc. (Qc)**

**NATURE DE LA CAUSE**

Droit des biens - Bien immeubles - Droits réels - Titre de propriété - Servitude par destination du père de famille - Fond servant et fond dominant - La Cour d’appel a-t-elle erré en répudiant la condition d’un aménagement physique ? - La Cour

d'appel a-t-elle erré dans ses conclusions relatives à l'extinction de la servitude par les effets de la renonciation et de la clause de dation en paiement ? - La Cour d'appel a-t-elle erré dans son interprétation de l'article 1184 C.c.Q. sur la contribution du propriétaire du fonds dominant aux travaux nécessaires à la conservation de la servitude de stationnement ?

### **HISTORIQUE DES PROCÉDURES**

Le 14 août 2002  
Cour supérieure du Québec  
(Le juge Gervais)

Action confessoire de servitude de l'intimée G.M. Développement Inc, rejetée; demande reconventionnelle et requête en radiation d'inscription de la demanderesse, accueillies en partie

Le 17 septembre 2003  
Cour d'appel du Québec  
(Les juges Baudouin, Chamberland et Morin)

Appel accueilli; jugement cassé; action déclaratoire de servitude accueillie

Le 14 novembre 2003  
Cour suprême du Canada

Demande d'autorisation d'appel déposée

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

**Pierre Rémillard**

**c. (29833)**

**Sa Majesté la Reine (Crim.) (Qc)**

### **NATURE DE LA CAUSE**

Droit criminel - Preuve Agressions sexuelles d'une fillette de quatre ans - Confession - Admissibilité - Exclusion de la preuve - Le juge de procès doit-il exclure la confession jugée non libre et volontaire selon la procédure de l'article 24(2) de la *Charte canadienne des droits et libertés* si, dans son analyse d'admissibilité des déclarations de l'accusé, il a déterminé que, parmi les critères et facteurs à prendre en considération, il y avait eu violation d'un droit garanti par la *Charte*, sans que cette violation ne soit formellement invoquée par l'accusé ?

### **HISTORIQUE DES PROCÉDURES**

Le 16 novembre 2001  
Cour du Québec  
(Le juge Garneau)

Déclarations orales du demandeur déclarées irrecevables

Le 23 novembre 2001  
Cour du Québec  
(Le juge Garneau)

Demandeur acquitté d'avoir touché, à des fins sexuelles, une partie du corps d'une mineure de moins de 14 ans et demandeur acquitté d'agression sexuelle contrairement aux art. 151 et 271(1)a) du *Code criminel*

Le 3 juin 2003  
Cour d'appel du Québec  
(Les juges Fish, Morissette et, Letarte [*ad hoc* et *dissident*])

Appel accueilli; jugement infirmé; tenue d'un nouveau procès ordonnée

Le 6 octobre 2003  
Cour suprême du Canada  
(La juge en chef McLachlin et les juges Iacobucci,  
Major, Bastarache et Binnie)

Requête du demandeur en annulation de l'appel, rejetée.  
Appel de plein droit autorisé.

Le 21 novembre 2003  
Cour suprême du Canada

Demandes d'autorisation d'appel de prorogation, de délai  
de production du mémoire et ordonnance afin de traiter  
la demande d'autorisation d'appel de toute urgence  
déposées

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**Dominic Gismondi**

**v. (29857)**

**The Corporation of the City of Toronto (Ont.)**

**NATURE OF THE CASE**

Labour Law - Employment Law - Municipal Law - Master and Servant - Termination of Employment - Notice Period - Reinstatement of Employment - Municipal manager of a former municipality unsuccessful in competitions for new management positions in a new city formed in part from the former municipality - Manager's employment terminated - Manager given a termination package in accordance with a resolution of the new City Council adopted in advance of the job competitions - Whether a duty of fairness or doctrine of reasonable expectations applied to the competitions and hiring process - Whether principles set out in *Knight v. Indian Head School Division No. 19* (1990), 69 D.L.R. (4<sup>th</sup>) 489 ought to have been applied or were misapplied - Whether statutory protections were breached - Whether failure by the respondent to follow its own rules and guidelines resulted in the applicant's termination - Whether the respondent's failure to accurately disclose the outcome of its own review supported additional damages - Whether applicant must show termination package was unreasonable.

**PROCEDURAL HISTORY**

February 22, 2002  
Ontario Superior Court of Justice  
(Gans J.)

Applicant's action allowed in part; damages for wrongful dismissal awarded, application for reinstatement dismissed

April 29, 2003  
Court of Appeal for Ontario  
(Carthy, Charron and Rosenberg JJ.A.)

Respondent's appeal allowed and trial judgment set aside; Order that respondent shall pay applicant 80 weeks pay and benefits in accordance with an offer dated December 8, 1998; Applicant's cross-appeal dismissed

June 30, 2003  
Supreme Court of Canada

Application for leave to appeal filed

November 13, 2003  
Supreme Court of Canada  
(Major J.)

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

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**Morris Feduk**

**v. (29903)**

**Saskatchewan Wheat Pool (Sask.)**

**NATURE OF THE CASE**

Commercial law - Contracts - Equitable set-off - Clean hands doctrine - Wheat Pool suing farmer for breach of two canola contracts - Farmer counterclaiming to recover amount withheld under barley and deferred delivery contracts - Trial judge finding that Wheat Pool not entitled to equitable set-off as it did not come to court with clean hands - Court of Appeal allowing claim for equitable set-off - Whether Court of Appeal applied test for clean hands doctrine that is not consistent with application of this equitable principle found in other provinces and in England.

**PROCEDURAL HISTORY**

August 27, 2001  
Court of Queen's Bench of Saskatchewan  
(Gunn J.)

Respondent ordered to pay Applicant the sum of \$120,449.74, plus pre-judgment interest on the sum of \$90,449.74, less the sum of \$19,329.00, plus pre-judgment interest

May 20, 2003  
Court of Appeal for Saskatchewan  
(Vancise, Gerwing and Jackson JJ.A.)

Appeal allowed in part; Applicant to pay Respondent net amount of \$39,092.99

August 25, 2003  
Supreme Court of Canada

Application for leave to appeal filed

September 16, 2003  
Supreme Court of Canada

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

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**Le ministre de la Citoyenneté et de l'Immigration**

**c. (30025)**

**Léon Mugesera, Gemma Uwamariya, Irenée Rutema, Yves Rusi,  
Carmen Nono, Mireille Urumuri et Marie-Grâce Hoho (C.F.)**

**NATURE DE LA CAUSE**

Droit administratif - Contrôle judiciaire - Droit de l'immigration - Droit criminel - Crimes contre l'humanité - Incitation à la haine, au meurtre ou au génocide - Quels sont les éléments essentiels qui doivent être établis pour qu'un acte d'incitation à la haine, au meurtre ou au génocide soit considéré comme un crime contre l'humanité aux fins de l'application de l'al. 19(1)*j*) de la *Loi sur l'immigration*? - Quelle approche un tribunal doit-il adopter pour décider si des paroles, prononcées dans un autre pays, constitueraient une infraction au Canada aux termes des sous-al. 27(1)*a.1*(ii) ou 27(1)*a.3*(ii) de la *Loi sur l'immigration*? - Aux termes de l'al. 52*b*(i) de la *Loi sur la Cour fédérale*, quelle est l'étendue du pouvoir de la Cour d'appel fédérale lorsqu'elle siège en appel d'une décision de la Section de première instance relativement à une demande de révision judiciaire?

**HISTORIQUE PROCÉDURAL**

Le 10 mai 2001  
Cour fédérale du Canada  
(Le juge Nadon)

Demande de révision judiciaire accueillie en partie

Le 8 septembre 2003  
Cour d'appel fédérale  
(Les juges Décary, Létourneau et Pelletier)

Appel du demandeur rejeté; appel des intimés accueilli

Le 7 novembre 2003  
Cour suprême du Canada

Demande d'autorisation d'appel déposée

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**ORAL HEARING ON APPLICATIONS  
FOR LEAVE**

**AUDIENCE SUR LES DEMANDES  
D'AUTORISATION**

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**JANUARY 12, 2004 / LE 12 JANVIER 2004**

CORAM: Bastarache, LeBel and Deschamps JJ.

**Jacques Leduc**

**v. (29958)**

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

**DISMISSED / REJETÉE**

The application for leave to appeal from the judgment of the Court of Appeal for Ontario, Number C36077, dated July 24, 2003, heard this day, is dismissed.

**NATURE OF THE CASE**

Canadian Charter (Criminal) - Criminal law - Evidence - Procedure - Remedies - Wilful non-disclosure - Stay of proceedings - Whether the Court of Appeal for Ontario erred in holding that the trial judge made palpable and overriding errors in his determination that non-disclosure of evidence by the Crown was wilful - Whether the Court of Appeal for Ontario erred in holding that this was not an appropriate case for the issuance of a stay of proceedings pursuant to s. 24(1) of the *Canadian Charter of Rights and Freedoms*, if the non-disclosure of evidence by the Crown was wilful - Whether the Court of Appeal for Ontario erred in setting aside an order of costs against the Attorney General of Ontario made in favour of the Applicant, on the ground that such an order is not permitted by authorities under s. 24(1) of the *Canadian Charter of Rights and Freedoms*.

Philip Campbell, Marlys A. Edwardh and Steven Skurka for the applicant.

J. John C. Pearson for the respondent.

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel de l'Ontario, numéro C36077, daté du 24 juillet 2003, entendue ce jour, est rejetée.

**NATURE DE LA CAUSE**

Charte canadienne (droit criminel) - Droit criminel - Preuve - Procédure - Réparations - Non-divulgence volontaire - Arrêt des procédures - La Cour d'appel de l'Ontario a-t-elle erré en décidant que le juge de première instance avait commis des erreurs manifestes et dominantes en statuant que la non-divulgence par le ministère public d'éléments de preuve était volontaire ? La Cour d'appel de l'Ontario a-t-elle erré en décidant que, si la non-divulgence par le ministère public d'éléments de preuve était volontaire, il n'aurait pas été approprié en l'espèce d'ordonner, en application du par. 24(1) de la *Charte canadienne des droits et libertés*, l'arrêt des procédures ? La Cour d'appel de l'Ontario a-t-elle erré en annulant l'ordonnance du tribunal de première instance qui condamnait le ministère public aux dépens, au motif que la jurisprudence ne permet pas au tribunal de première instance de rendre une telle ordonnance en application du par. 24(1) de la *Charte canadienne des droits et libertés* ?

5.1.2004

Before / Devant : MAJOR J.

**Further order on motions for leave to intervene**

**Autre ordonnance sur des requêtes en autorisation d'intervention**

BY / PAR : Canadian Conference of Catholic Bishops  
Attorney General of Canada

IN / DANS : Roman Catholic Episcopal Corporation of St. George's, et al.

v. (29426)

John Doe ("a pseudonym"), et al.  
(N.L.)

**UPON APPLICATIONS** by the Canadian Conference of Catholic Bishops and the Attorney General of Canada, for leave to intervene in the above appeal and cross-appeal and pursuant to the order of November 13, 2003;

**IT IS HEREBY FURTHER ORDERED THAT** the said interveners are each granted permission to present oral argument not exceeding fifteen (15) minutes at the hearing of the appeal.

5.1.2004

Before / Devant : MAJOR J.

**Further order on motions for leave to intervene**

**Autre ordonnance sur des requêtes en autorisation d'intervention**

BY / PAR : Fédération des ordres professionnels de juristes du Canada  
Procureur général du Canada

IN / DANS : Barreau du Québec

c. (29344)

Christina McCulloch-Finney (Qc)

**À LA SUITE DES DEMANDES** de la Fédération des ordres professionnels de juristes du Canada et du Procureur général du Canada visant à obtenir l'autorisation d'intervenir dans l'appel susmentionné et suite à l'ordonnance du 4 novembre 2003;

**IL EST EN OUTRE ORDONNÉ** que la plaidoirie des intervenants soit ainsi limitée à quinze (15) minutes chacun.

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5.1.2004

Before / Devant : IACOBUCCI J.

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

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

Robert Armstrong

v. (30105)

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

**GRANTED / ACCORDÉE**

**UPON APPLICATION** by the applicant for an order extending the time to serve and file an application for leave to appeal to December 23, 2003;

**AND HAVING READ** the material filed;

**IT IS HEREBY ORDERED THAT:**

The application for an order extending the time to serve and file an application for leave to appeal is granted to December 23, 2003.

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5.1.2004

Before / Devant : IACOBUCCI J.

**Motions to extend the time in which to serve an application for leave and to accept the application for leave to appeal as filed**

**Requêtes en prorogation du délai imparti pour signifier une demande d'autorisation et en acceptation de la demande d'autorisation d'appel déposée**

Richard Condo

v. (30042)

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

**GRANTED / ACCORDÉES**

**UPON APPLICATION** by the applicant for an order extending the time to serve an application for leave to appeal to November 24, 2003 and for an order accepting the application for leave to appeal as filed;

**AND HAVING READ** the material filed;

**IT IS HEREBY ORDERED THAT:**

The application for an order extending the time to serve an application for leave to appeal to November 24, 2003 and accepting the application for leave to appeal as filed is granted.

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5.1.2004

Before / Devant : IACOBUCCI J.

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

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

Jean-Roch Massé

c. (29153)

Ministre du Revenu National (C.F.)

**GRANTED / ACCORDÉE**

**À LA SUITE D'UNE DEMANDE** du demandeur visant à obtenir une prorogation de délai pour signifier et déposer une demande d'autorisation d'appel au 28 novembre 2003;

**ET APRÈS AVOIR PRIS CONNAISSANCE** de la documentation déposée;

**IL EST PAR LA PRÉSENTE ORDONNÉ CE QUI SUIT:**

La demande de prorogation de délai pour signifier et déposer une demande d'autorisation d'appel au 28 novembre 2003 est accordée.

5.1.2004 (Revised 9/1/2004)

Before / Devant : ARBOUR J.

**Further order on motions for leave to intervene****Autre ordonnance sur des requêtes en autorisation d'intervention**

BY / PAR : Evangelical Fellowship of Canada  
Seventh-Day Adventist Church in Canada  
World Sikh Organization of Canada  
Ontario Human Rights Commission  
Canadian Civil Liberties Association

IN / DANS : La Congrégation des témoins de Jéhovah de St-Jérôme Lafontaine, et autres

c. (29507)

Municipalité du village de Lafontaine, et autres (Qc)

- et entre -

The League for Human Rights of  
B’Nai Brith Canada

c. (29252)

Syndicat Northcrest (Qc)

- et entre -

Moïse Amselem, et autres

c. (29253)

Syndicat Northcrest (Qc)

**UPON APPLICATIONS** by the Evangelical Fellowship of Canada and the Seventh-Day Adventist Church in Canada, for leave to intervene in the above three appeals number 29252, 29253 and 29507 and pursuant to the order of September 22, 2003, revised on October 6, 2003;

**IT IS HEREBY FURTHER ORDERED THAT** the said interveners are granted permission to present a shared oral argument not exceeding fifteen (15) minutes on the day of the hearing in the appeals 29252 and 29253 and the said interveners are granted permission to present an oral argument not exceeding fifteen (15) minutes on the day of the hearing in the appeal 29507.

**UPON APPLICATIONS** by the World Sikh Organization of Canada and the Ontario Human Rights Commission, for leave to intervene in the above two appeals number 29252 and 29253 and pursuant to the order of September 22, 2003, revised on October 6, 2003;

**IT IS HEREBY FURTHER ORDERED THAT** the said interveners are each granted permission to present oral argument not exceeding fifteen (15) minutes on the day of the hearing of these appeals.

**UPON APPLICATION** by the Canadian Civil Liberties Association leave to intervene in the above appeal number 29507 and pursuant to the order of November 6, 2003;

**IT IS HEREBY FURTHER ORDERED THAT** the said intervener is granted permission to present oral argument not exceeding fifteen (15) minutes on the day of the hearing of the appeal.

5.1.2004

Before / Devant : IACOBUCCI

**Motions for leave to intervene**

**Requêtes en autorisation d'intervention**

BY / PAR : Environment Voters, a Division of  
Animal Alliance of Canada  
John Herbert Bryden, Member of  
Parliament  
Democracy Watch and the National  
Anti-Poverty Organization

IN / DANS : Attorney General of Canada

v. (29618)

Stephen Joseph Harper (Alta.)

**GRANTED / ACCORDÉES**

**UPON APPLICATIONS** by the Environment Voters, a Division of Animal Alliance of Canada, John Herbert Bryden, Member of Parliament and the Democracy Watch and the National Anti-Poverty Organization for leave to intervene in the above appeal;

**AND HAVING READ** the material filed;

**IT IS HEREBY ORDERED THAT:**

The motion for leave to intervene of the applicant, the Environment Voters, a Division of Animal Alliance of Canada, is granted and the applicant shall be entitled to serve and file a factum not to exceed 20 pages in length on or before January 20, 2004, and that the affidavit of Stephen Douglas Best be part the record of the intervener.

The motion for leave to intervene of the applicant, John Herbert Bryden, Member of Parliament, is granted and the applicant shall be entitled to serve and file a factum not to exceed 20 pages in length on or before January 20, 2004.

The motion to extend the time to apply for leave to intervene and for leave to intervene of the applicant, the Democracy Watch and the National Anti-Poverty Organization, is granted and the applicant shall be entitled to serve and file a factum not to exceed 20 pages in length on or before January 20, 2004.

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

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

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

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5.1.2004

Before / Devant : IACOBUCCI J.

**Motions for leave to intervene**

**Requêtes en autorisation d'intervention**

BY / PAR : Attorney General of Canada  
National Trust Company  
Nicole Lacroix  
R.M. Smallhorn, D.G. Halsall, S.J.  
Galbraith and S.W. (Bud) Wesley

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IN / DANS : Monsanto Canada Inc., et al.

v. (29586)

Superintendent of Financial Services,  
et al. (Ont.)

**GRANTED / ACCORDÉE**

**UPON APPLICATIONS** by the Attorney General of Canada, the National Trust Company, Nicole Lacroix and R.M. Smallhorn, D.G. Halsall, S.J. Galbraith and S.W. (Bud) Wesley for leave to intervene in the above appeal;

**AND HAVING READ** the material filed;

**IT IS HEREBY ORDERED THAT:**

The motion for leave to intervene of the applicant, the Attorney General of Canada, is granted and the applicant shall be entitled to serve and file a factum not to exceed 20 pages in length on or before January 26, 2004.

The motion for leave to intervene of the applicant, National Trust Company, is granted and the applicant shall be entitled to serve and file a factum not to exceed 20 pages in length on or before January 26, 2004.

The motion for leave to intervene of the applicant, Nicole Lacroix, is granted and the applicant shall be entitled to serve and file a factum not to exceed 20 pages in length on or before January 26, 2004.

The motion for leave to intervene of the applicants, R.M. Smallhorn, D.G. Halsall, S.J. Galbraith and S.W. (Bud) Wesley, is granted and the applicants shall be entitled to serve and file a factum not to exceed 20 pages in length on or before January 26, 2004.

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

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

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

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6.1.2004

Before / Devant : LEBEL J.

**Miscellaneous motion**

**Autre requête**

Ville de Saint-Léonard, et autre

c. (28920)

Ville de Montréal (Qc)

**GRANTED / ACCORDÉE**

**À LA SUITE D'UNE DEMANDE** de l'intimée visant à obtenir le report de l'examen de la demande d'autorisation d'appel au 31 mars 2004;

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**ET APRÈS AVOIR PRIS CONNAISSANCE** de la documentation déposée;

**IL EST PAR LA PRÉSENTE ORDONNÉ CE QUI SUIT:**

Vu les représentations faites par la Ville de Montréal, la demande d'autorisation d'appel ne sera pas soumise à une formation de cette Cour avant le 31 mars 2004. D'ici cette date, la Ville de Montréal et toutes parties encore intéressées dans cette affaire devront indiquer la nature de leurs positions, quant à la demande d'autorisation d'appel, et présenter toutes représentations additionnelles qu'elles estimeront nécessaires à son sujet. Le 31 mars 2004, la demande d'autorisation d'appel sera soumise par la registraire à une formation de la Cour.

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6.1.2004

Before / Devant : THE REGISTRAR

**Motions to file lengthy factum and to extend the time to serve and file the factum of the respondent the Attorney General of Quebec**

**Requêtes visant le dépôt d'un long mémoire et en prorogation du délai imparté pour signifier et déposer le mémoire de l'intimé le Procureur général du Québec**

Jacques Chaoulli, et autre

c. (29272)

Procureur général du Québec, et autre (Qc)

**GRANTED / ACCORDÉES** Time extended to January 20, 2004.

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6.1.2004

Before / Devant : THE REGISTRAR

**Motion to extend the time in which to serve and file the factum of the respondent the Attorney General of Canada**

**Requête en prorogation du délai imparté pour signifier et déposer le mémoire de l'intimé le Procureur général du Canada**

Jacques Chaoulli, et autre

c. (29272)

Procureur général du Québec, et autre (Qc)

**GRANTED / ACCORDÉE** Délai prorogé au 20 janvier 2004.

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7.01.2004

Before / Devant : IACOBUCCI J.

**Further order on motions for leave to intervene**

BY / PAR : Canadian Canola  
Growers Association  
Attorney General of Ontario  
Ag-West Biotech Inc.  
Council of Canadians, the Action  
Group on Erosion, Technology and  
Concentration, the Sierra Club of  
Canada, the National Farmers Union,  
the Research Foundation for Science,  
Technology and Ecology and the  
International Center for Technology  
Assessment,  
Canadian Seed Trade Association  
BioteCanada

IN / DANS : Percy Schmeiser, et al.

v. (29437)

Monsanto Canada Inc., et al. (F.C.)

**Autre ordonnance sur des requêtes en autorisation  
d'intervention**

**UPON APPLICATIONS** by the Canadian Canola Growers Association, the Attorney General of Ontario, Ag-West Biotech Inc., the Council of Canadians, the Action Group on Erosion, Technology and Concentration, the Sierra Club of Canada, the National Farmers Union, the Research Foundation for Science, Technology and Ecology and the International Center for Technology Assessment, the Canadian Seed Trade Association and BioteCanada for leave to intervene in the above appeal and pursuant to the order of October 23, 2003;

**IT IS HEREBY FURTHER ORDERED THAT** the said interveners, Canadian Canola Growers Association and the Attorney General of Ontario, are each granted permission to present oral argument not exceeding ten (10) minutes at the hearing of the appeal.

**IT IS HEREBY FURTHER ORDERED THAT** the said intervener, Ag-West Biotech Inc., is denied permission to present oral argument at the hearing of the appeal.

**IT IS HEREBY FURTHER ORDERED THAT** the said interveners, Council of Canadians, the Action Group on Erosion, Technology and Concentration, the Sierra Club of Canada, the National Farmers Union, the Research Foundation for Science, Technology and Ecology and the International Center for Technology Assessment, are granted permission to present oral argument not exceeding fifteen (15) minutes at the hearing of the appeal.

**IT IS HEREBY FURTHER ORDERED THAT** the said interveners, Canadian Seed Trade Association and BioteCanada, are granted permission to present oral argument not exceeding fifteen (15) minutes to be divided by agreement between the parties or, failing agreement, to be divided equally, the submissions of Canadian Seed Trade Association to be limited to issue (3) of its factum.

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7.1.2004

Before / Devant : IACOBUCCI J.

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

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

Darryl Williams

v. (29818)

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

**GRANTED / ACCORDÉE**

**UPON APPLICATION** by the applicant for an order extending the time to serve and file an application for leave to appeal to October 17, 2003;

**AND HAVING READ** the material filed;

**IT IS HEREBY ORDERED THAT:**

The application for an order extending the time to serve and file an application for leave to appeal is granted to October 17, 2003.

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7.1.2004

Before / Devant : IACOBUCCI J.

**Motion to extend the time in which to serve and file the notice of appeal**

**Requête en prorogation du délai imparti pour signifier et déposer l'avis d'appel**

Cory Howard Grandinetti

v. (30096)

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

**GRANTED / ACCORDÉE**

**UPON APPLICATION** by the appellant for an order extending the time to serve and file a notice of appeal as of right to December 22, 2003;

**AND HAVING READ** the material filed;

**IT IS HEREBY ORDERED THAT:**

The application for an order extending the time to serve and file a notice of appeal as of right is granted to December 22, 2003.

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8.1.2004

Before / Devant : THE REGISTRAR

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

**Requête en prorogation du délai imparti pour signifier et déposer la réponse des intimés**

Nicolaas Koks

v. (29929)

HIVO Entreprises Ltd., et al. (Alta.)

**GRANTED / ACCORDÉE** Time extended to December 22, 2003.

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8.1.2004

Before / Devant : THE CHIEF JUSTICE

**Motions to extend the time in which to serve and file the appellant's factum, the respondent's factum and to adjourn the hearing of the appeal**

**Requêtes en prorogation de délai imparti pour signifier et déposer le mémoire de l'appellant, le mémoire de l'intimée et en vue d'ajourner l'audition de l'appel**

David Masi Cheddesingh

v. (29662)

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

**GRANTED IN PART / ACCORDÉES EN PARTIE**

**UPON APPLICATION** by the appellant and the respondent for an order extending the time to serve and file the appellant's factum to January 16, 2004; extending the time to serve and file the respondent's factum to March 4, 2004; and alternatively for an order adjourning the hearing of the appeal;

**AND HAVING READ** the material filed;

**IT IS HEREBY ORDERED THAT:**

- 1) The appellant is granted an extension of time to serve and file its factum to January 16, 2004.
  - 2) The respondent is granted an extension of time to serve and file its factum to February 27, 2004.
  - 3) The motion to adjourn the appeal is dismissed.
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8.1.2004

Before / Devant : IACOBUCCI J.

**Motion to expedite the application for leave**

**Requête visant à accélérer la demande d'autorisation d'appel**

B.F., et al.

v. (30075)

Minister of Community Services, et al. (N.S.)

**GRANTED / ACCORDÉE**

**UPON APPLICATION** by the applicant for and order expediting the determination of the application for leave to appeal;

**AND HAVING READ** the material filed;

**IT IS HEREBY ORDERED THAT:**

The motion to expedite the determination of the application for leave to appeal is granted.

9.1.2004

Before / Devant : THE REGISTRAR

**Motions to extend the time in which to serve and file the joint factum and book of authorities of the appellants**

**Requêtes en prorogation du délai imparti pour signifier et déposer mémoire conjoint et recueil de jurisprudence des appelants**

David Brock Henry

v. (29952)

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

- and -

Barry Wayne Riley

v. (29953)

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

**GRANTED / ACCORDÉES** Time extended to January 7, 2004.

**NOTICE OF APPEAL FILED SINCE  
LAST ISSUE**

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

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23.12.2003

**Her Majesty the Queen**

**v. (30098)**

**Randolph Blake (Ont.)**

(as of right)

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**APPEALS HEARD SINCE LAST ISSUE  
AND DISPOSITION**

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

14.1.2004

**Roman Catholic Episcopal Corporation of St. George's**

v. (29426)

**John Doe ("a pseudonym"), et al.**

- and between -

**John Doe ("a pseudonym"), et al.**

v. (29426)

**Roman Catholic Episcopal Corporation of St. George's, Raymond Lahey, Alphonsus Penny, James MacDonald, Roman Catholic Episcopal Corporation of St. John's and the Roman Catholic Church (N.L.)**

Geoffrey D.E. Adair, Q.C. and Krista Springstead for the appellant on the Appeal, for the respondent on the Cross-Appeal.

William J. Sammon for the intervener on Appeal and the Cross-Appeal - Canadian Conference of Catholic Bishops.

Gregory B. Stack for 35 of the respondents, for the appellant's on Cross-Appeal.

Richard S. Rogers for remaining respondents, for the appellant's on Cross-Appeal.

David G.L. Buffett, Q.C. for the respondents Penney, Lahey and MacDonald on the Cross-Appeal.

James R. Adams for the respondent Roman Catholic Episcopal Corporation of St. John's on the Cross-Appeal.

Anne M. Turley for the intervener on Appeal and the Cross-Appeal - Attorney General of Canada

**RESERVED / EN DÉLIBÉRÉ**

**Nature of the case:**

Torts - Liability - Corporation sole - Sexual assaults by priest - Whether the Supreme Court of Newfoundland and Labrador, Court of Appeal erred in imposing direct liability upon the Roman Catholic Episcopal Corporation of St. George's in respect of certain sexual assaults upon the Respondents - Whether the Court of Appeal erred in failing to hold the defendant Roman Catholic Church, an unincorporated association, vicariously liable for the acts of the priest - If the Appellant succeeds with its appeal, than are any other of the Respondents on Cross-Appeal liable to the Respondents?

**Nature de la cause:**

Délits civils- Responsabilité - Agressions sexuelles commises par un prêtre- Est-ce que la Cour d'appel de Terre-Neuve-et-Labrador a commis une erreur en décidant que la Roman Catholic Episcopal Corporation of St. George's avait encouru une responsabilité délictuelle pour certains des actes d'agression sexuelle dont avaient été victimes les intimés ? - Est-ce que la Cour d'appel a commis une erreur en ne tenant pas l'Église catholique, qui est une association non constituée en personne morale, responsable du fait d'autrui pour les agressions commises par le prêtre ?- Si le pourvoi principal était accueilli, il faudrait décider si les autres intimés dans le pourvoi incident ont encouru une responsabilité envers les intimés dans le pourvoi principal.

15.1.2004

**Russell Alan Kehler**

Marvin R. Bloos, Q.C. for the appellant.

**v. (29755)**

Jim Bowron for the respondent.

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

**DISMISSED WITH REASONS TO FOLLOW / REJETÉ AVEC MOTIFS À SUIVRE**

The appeal from the judgment of the Court of Appeal of Alberta (Calgary), Number 0103-0447-A3, dated April 2, 2003, heard on January 15, 2004 is dismissed with reasons to follow.

L'appel interjeté contre l'arrêt de la Cour d'appel de l'Alberta (Calgary), numéro 0103-0447-A3, en date du 2 avril 2003, entendu le 15 janvier 2004 est rejeté avec motifs à suivre.

**Nature of the case**

Criminal law - Evidence - Evidence of unsavoury witness - Corroborative evidence - Robberies - Where a Court rules that, in order to be relied upon, a witness' testimony must be corroborated, must the corroboration, where identity is the only issue at trial, implicate the accused? - Whether the verdict is unsafe and not supported by the evidence.

**Nature de la cause**

Droit criminel - Preuve - Déposition d'un témoin douteux - Preuve corroborante - Vols qualifiés- Lorsqu'un tribunal décide que la déposition d'un complice, pour que l'on puisse s'y fier, doit être corroborée et que la seule question en litige lors du procès est de savoir si l'accusé est l'auteur des infractions, la preuve corroborante doit-elle impliquer l'accusé ? - Le verdict est-il imprudent et s'appuie-t-il sur la preuve ?

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JANUARY 12, 2004 / LE 12 JANVIER 2004

29292

**The Regional Manager of the Cariboo Forest Region, Her Majesty the Queen in Right of the Province of British Columbia v. Roger William, on his own behalf and on behalf of all other members of the Xeni Gwet'in First Nations Government and on behalf of all other members of the Tsilhqot'in Nation, Attorney General of Canada - and between - Attorney General of Canada and Roger William, on his own behalf and on behalf of all other members of the Xeni Gwet'in First Nations Government and on behalf of all other members of the Tsilhqot'in Nation, The Regional Manager of the Cariboo Forest Region, Her Majesty the Queen in Right of the Province of British Columbia and Attorney General of Ontario, Chief Dan Wilson, in his personal capacity and as representative of the Okanagan Indian Band, and all other persons engaged in the cutting, damaging or destroying of Crown timber at Timber Sale Licence A57614, Chief Ronnie Jules, in his personal capacity and as representative of the Adams Lake Band, Chief Stuart Lee, in his personal capacity and as representative of the Spallumcheen Indian Band, Chief Arthur Manuel, in his personal capacity and as representative of the Neskonlith Indian Band, David Anthony Nordquist, in his personal capacity and as representative of the Adams Lake Indian Band, the Spallumcheen Indian Band and the Neskonlith Indian Band, and all other persons engaged in the cutting, damaging or destroying of Crown Timber at Timber Sale Licence A38029, Block 2 (B.C.)**

Coram: McLachlin C.J. and Iacobucci, Major, Bastarache, Binnie, Arbour, LeBel, Deschamps and Fish JJ.

This appeal is remanded to the British Columbia Supreme Court to be dealt with in accordance with the reasons of this Court in *British Columbia (Minister of Forests) v. Okanagan Indian Band*, 2003 SCC 71.

L'affaire est renvoyée à la Cour suprême de la Colombie-Britannique pour qu'elle soit tranchée conformément à l'arrêt de notre Cour *Colombie-Britannique (Ministre des Forêts) c. Bande indienne Okanagan*, 2003 CSC 71.

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## DEADLINES: APPEALS

The Winter Session of the Supreme Court of Canada started January 12, 2004.

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 12 janvier 2004.

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'appellant, 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'appellant.

**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.

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

**Judgments reported in [2003] 1 S.C.R. Part 4**

Caisse populaire Desjardins de Val-Brillant *v.* Blouin,  
[2003] 1 S.C.R. 666, 2003 SCC 31

*R. v.* Buhay,  
[2003] 1 S.C.R. 631, 2003 SCC 30

*R. v.* Owen,  
[2003] 1 S.C.R. 779, 2003 SCC 33

Starson *v.* Swayze,  
[2003] 1 S.C.R. 722, 2003 SCC 32

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**Judgments reported in [2003] 1 S.C.R. Part 5**

Bell Canada *v.* Canadian Telephone Employees Association,  
[2003] 1 S.C.R. 884, 2003 SCC 36

*Ell v.* Alberta,  
[2003] 1 S.C.R. 857, 2003 SCC 35

*Figueroa v.* Canada (Attorney General),  
[2003] 1 S.C.R. 912, 2003 SCC 37

*Trociuk v.* British Columbia (Attorney General),  
[2003] 1 S.C.R. 835, 2003 SCC 34

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

**Jugements publiés dans [2003] 1 R.C.S. Partie 4**

Caisse populaire Desjardins de Val-Brillant *c.* Blouin,  
[2003] 1 R.C.S. 666, 2003 CSC 31

*R. c.* Buhay,  
[2003] 1 R.C.S. 631, 2003 CSC 30

*R. c.* Owen,  
[2003] 1 R.C.S. 779, 2003 CSC 33

*Starson c.* Swayze,  
[2003] 1 R.C.S. 722, 2003 CSC 32

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**Jugements publiés dans [2003] 1 R.C.S. Partie 5**

Bell Canada *c.* Association Canadienne des employés de téléphone,  
[2003] 1 R.C.S. 884, 2003 CSC 36

*Ell c.* Alberta,  
[2003] 1 R.C.S. 857, 2003 CSC 35

*Figueroa c.* Canada (Procureur général),  
[2003] 1 R.C.S. 912, 2003 CSC 37

*Trociuk c.* Colombie-Britannique (Procureur général),  
[2003] 1 R.C.S. 835, 2003 CSC 34

SUPREME COURT OF CANADA SCHEDULE  
CALENDRIER DE LA COUR SUPREME

- 2003 -

04-07-2002

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

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

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

- 2004 -

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

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

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

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

JUNE - JUIN						
S D	M L	T M	W M	T J	F V	S S
		1	2	3	4	5
6	M 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**  
**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**