

**SUPREME COURT OF CANADA -- JUDGMENTS IN APPEALS AND LEAVE APPLICATIONS**

OTTAWA, 17/12/98. THE SUPREME COURT OF CANADA HAS TODAY DEPOSITED WITH THE REGISTRAR JUDGMENTS IN THE FOLLOWING APPEALS AND APPLICATIONS FOR LEAVE TO APPEAL.

FROM: SUPREME COURT OF CANADA (613)995-4330

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**COUR SUPRÊME DU CANADA -- JUGEMENTS SUR POURVOIS ET DEMANDES D'AUTORISATION**

OTTAWA, 17/12/98. LA COUR SUPRÊME DU CANADA A DÉPOSÉ AUJOURD'HUI AUPRÈS DU REGISTRAIRE LES JUGEMENTS DANS LES APPELS ET LES DEMANDES D'AUTORISATION D'APPEL SUIVANTS.

SOURCE: COUR SUPRÊME DU CANADA (613)995-4330

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**APPEALS / APPELS:**

**25943**            **ALEXANDER FRANCOIS THOMAS - v. - HER MAJESTY THE QUEEN** (Crim.)(B.C.)

CORAM:            The Chief Justice and L'Heureux-Dubé, Gonthier, Cory, McLachlin, Iacobucci, Major, Bastarache and Binnie JJ.

The appeal is allowed and a full new trial is ordered, L'Heureux-Dubé, Gonthier and McLachlin JJ. dissenting.

L'appel est accueilli et la tenue d'un nouveau procès complet est ordonnée. Les juges L'Heureux-Dubé, Gonthier et McLachlin sont dissidents.

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**26303**            **HER MAJESTY THE QUEEN - v. - KRISTIAN LEE WARSING** (Crim.)(B.C.)

CORAM:            The Chief Justice and L'Heureux-Dubé, Gonthier, Cory, McLachlin, Iacobucci, Major, Bastarache and Binnie JJ.

The appeal is dismissed and a full new trial is ordered, L'Heureux-Dubé, Gonthier and McLachlin JJ. dissenting in part and the Chief Justice and Bastarache J. dissenting.

Le pourvoi est rejeté et la tenue d'un nouveau procès complet est ordonnée. Les juges L'Heureux-Dubé, Gonthier et McLachlin sont dissidents en partie et le Juge en chef et le juge Bastarache sont dissidents.

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**APPLICATIONS FOR LEAVE / LES DEMANDES D'AUTORISATION:**

**26805**            **F.N. - v. - HER MAJESTY THE QUEEN AND ROMAN CATHOLIC SCHOOL BOARD FOR ST. JOHN'S AND AVALON CONSOLIDATED SCHOOL BOARD** (Nfld.)

CORAM:        The Chief Justice and McLachlin and Iacobucci JJ.

The application for leave to appeal is granted.

La demande d'autorisation d'appel est accordée.

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**26786**            **CITY OF NANAIMO - v. - RASCAL TRUCKING LTD.** (B.C.)

CORAM:        The Chief Justice and McLachlin and Iacobucci JJ.

The application for leave to appeal is granted.

La demande d'autorisation d'appel est accordée.

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**26796**            **BASTION DEVELOPMENT CORPORATION - v. - BARNES & KISSACK INC., TRUSTEE OF THE ESTATE OF MODATECH SYSTEMS INC., A BANKRUPT** (B.C.)

CORAM:        The Chief Justice and McLachlin and Iacobucci JJ.

The application for leave to appeal is dismissed with costs.

La demande d'autorisation d'appel est rejetée avec dépens.

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**26826**            **NEW INVESTORS COMMITTEE OF MATER'S MORTGAGES (NIC) INC. - v. - MORGAN TRUST COMPANY OF CANADA, PEAT MARWICK THORNE INC., AS RECEIVER AND MANAGER OF THE ASSETS AND PROPERTY OF EACH OF THE CORPORATE DEFENDANTS, SAVE AND EXCEPT FALLONCREST FINANCIAL CORPORATE AND 748749 ONTARIO LIMITED - AND - KILGRIMOL DEVELOPMENTS LIMITED, TOWN OF AJAX, INDEPENDENT ADVISORY COUNSEL FOR SOME OF THE INVESTORS, INVESTORS** (Ont.)

CORAM:        The Chief Justice and McLachlin and Iacobucci JJ.

The application for leave to appeal is dismissed with costs.

La demande d'autorisation d'appel est rejetée avec dépens.

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**26716**            **H.A. - v. - HER MAJESTY THE QUEEN** (Crim.)(Que.)

CORAM:        The Chief Justice and McLachlin and Iacobucci JJ.

The application for leave to appeal is dismissed.

La demande d'autorisation d'appel est rejetée.

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**26785**            **JOHN GALLANT AND BERNICE GALLANT v. THE PROVINCE OF NEW BRUNSWICK**  
(N.B.)

CORAM:        L'Heureux-Dubé, Gonthier and Bastarache JJ.

The application for leave to appeal is dismissed.

La demande d'autorisation d'appel est rejetée.

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**26837**            **TAMMY LYNN FERRIS v. HER MAJESTY THE QUEEN** (Crim.)(B.C.)

CORAM:        L'Heureux-Dubé, Gonthier and Bastarache JJ.

The application for leave to appeal is dismissed.

La demande d'autorisation d'appel est rejetée.

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**26742**            **B.M. v. S.L.** (Que.)

CORAM:        L'Heureux-Dubé, Gonthier and Bastarache JJ.

The application for leave to appeal is dismissed with costs.

La demande d'autorisation d'appel est rejetée avec dépens.

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**26810**            **THE CITY OF SASKATOON v. PUBLIC SERVICE ALLIANCE OF CANADA and**  
**INTERNATIONAL ASSOCIATION OF FIREFIGHTERS', LOCAL NO. 80** (Sask.)

CORAM:        L'Heureux-Dubé, Gonthier and Bastarache JJ.

The motion for a stay and the application for leave to appeal are dismissed with costs.

La demande de sursis et la demande d'autorisation d'appel sont rejetées avec dépens.

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26774            **ROBERT LAVIGNE v. HUMAN RESOURCES DEVELOPMENT AND HER MAJESTY THE QUEEN** (F.C.A.)(Que.)

CORAM:        L'Heureux-Dubé, Gonthier and Bastarache JJ.

The application for leave to appeal is dismissed with costs.

La demande d'autorisation d'appel est rejetée avec dépens.

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26567            **ANDERSON T. WALCOTT - v. - HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO, ONTARIO PROVINCIAL GOVERNMENT, MINISTRY OF CITIZENSHIP CULTURE AND RECREATION, ONTARIO HUMAN RIGHTS COMMISSION, MINISTRY OF ENVIRONMENT AND ENERGY, YORK (ONTARIO) HYDRO, MINISTRY OF THE ATTORNEY GENERAL, ETOBICOKE SMALL CLAIMS COURT, NORTH YORK SMALL CLAIMS COURT, MASTER'S COURT, ONTARIO MINISTRY OF FINANCE, ONTARIO INSURANCE COMMISSION, TORONTO TRANSIT COMMISSION, BELL CANADA, SCHWERDT MAP ART, SOCIETY OF MANAGEMENT ACCOUNTANTS OF ONTARIO, BENCHARGE CREDIT SERVICE, ALLSTATE INSURANCE COMPANY OF CANADA, GENERAL ACCIDENT ASSURANCE CO., GENERAL MOTORS ACCEPTANCE CORPORATION OF CANADA, G.B.C. CANADA INC, THE CANADA TRUST COMPANY**  
(Ont.)

CORAM:        The Chief Justice and McLachlin and Iacobucci JJ.

The application for reconsideration of the application for leave to appeal is dismissed.

La requête visant à obtenir le réexamen de la demande d'autorisation d'appel est rejetée.

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