

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

OTTAWA, 19/4/01. 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

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

OTTAWA, 19/4/01. 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:**

(Reasons for judgment will be available shortly at: / Motifs de jugement disponibles sous peu à:  
<http://www.scc-csc.gc.ca> )

**27284/27285** THE CANADIAN RED CROSS SOCIETY and YORK FINCH GENERAL HOSPITAL - v. - DOUGLAS WALKER as Executor of the ESTATE OF ALMA WALKER, deceased, DOUGLAS WALKER, infants SCOTT WALKER and DANIELLE WALKER by their Litigation Guardian DOUGLAS WALKER, J. BOB ALDERSON and VELMA ALDERSON - and between - THE CANADIAN RED CROSS SOCIETY and THE TORONTO HOSPITAL - v. - LOIS OSBORNE as Executrix of the Estate of RONALD CHARLES OSBORNE, deceased, LOIS OSBORNE, PAUL OSBORNE, KAREN McCRAW and DAVID OSBORNE - and between - THE CANADIAN RED CROSS SOCIETY and THE HOSPITAL FOR SICK CHILDREN - v. - A.A.M., A.M., on his own behalf and as Litigation Guardian for D.R.M. and A.M.M. (Ont.)  
**2001 SCC 23 / 2001 CSC 23**

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

The Canadian Red Cross Society's appeals of the *Osborne*, "*M*" and *Walker* actions are dismissed with costs. The hospitals named in the style of cause are not parties in these actions.

Les pourvois de la Société canadienne de la Croix-Rouge dans les actions *Osborne*, «*M*» et *Walker* sont rejetés avec dépens. Les hôpitaux nommés dans l'intitulé de la cause ne sont pas parties aux pourvois.

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

**28320** RICHARD BASTIEN - c. - SA MAJESTÉ LA REINE (Qué.) (Criminelle)

CORAM: Le Juge en chef et les juges Iacobucci et Bastarache

La demande de prorogation de délai est accordée et la demande d'autorisation d'appel est rejetée.

The application for an extension of time is granted and the application for leave to appeal is dismissed.

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**28405**            **SONYA FAYE COURTEREILLE - v. - HER MAJESTY THE QUEEN** (B.C.) (Criminal)

CORAM:        The Chief Justice, Iacobucci and Bastarache JJ.

The application for leave to appeal is dismissed.

La demande d'autorisation d'appel est rejetée.

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**28337**            **HER MAJESTY THE QUEEN - v. - DONALD LESTER LOCKYER** (Nfld.) (Criminal)

CORAM:        The Chief Justice, Iacobucci and Bastarache JJ.

The application for leave to appeal is dismissed.

La demande d'autorisation d'appel est rejetée.

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**28141**            **THOMAS RICHARD JACKSON - v. - ATTORNEY GENERAL OF CANADA** (FC) (Civil)

CORAM:        The Chief Justice, Iacobucci 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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**28240**            **BRITISH COLUMBIA INSTITUTE OF TECHNOLOGY - v. - STUDENT ASSOCIATION OF  
BRITISH COLUMBIA INSTITUTE OF TECHNOLOGY** (B.C.) (Civil)

CORAM:        The Chief Justice, Iacobucci 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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**28259**            **CASIMIR GADZELLA - v. - HINDMARSH HOLDINGS LTD., CEBB INVESTMENTS LTD.,  
AND PLEASANT HILL PLAZA INC.** (Sask.) (Civil)

CORAM:        The Chief Justice, Iacobucci and Bastarache JJ.

The application for leave to appeal is dismissed.

La demande d'autorisation d'appel est rejetée.

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**28185**            **ALL SEASONS DISPLAY INC. ET AL., DAVID ROWLAND, MARTIN STEWART,  
CONCORD SECURITY CORPORATION, DAVID REYNOLDS, WESTERN FIBRES LTD.,  
GAGE BABCOCK & ASSOCIATES LTD. - v. - MICHAEL MYLETT, JERI LYNNE COX  
AND FRANK FROST, CITY OF SURREY, ORANGE JULIUS CANADA LIMITED ET AL.  
- and between - ALL SEASONS DISPLAY INC. ET AL. - v. - MICHAEL MYLETT, JERI**

**LYNNE COX AND FRANK FROST, LAING PROPERTY CORPORATION, CITY OF SURREY, ORANGE JULIUS CANADA LIMITED ET AL. (B.C.) (Civil)**

CORAM: The Chief Justice, Iacobucci and Bastarache JJ.

The application for leave to appeal is dismissed.

La demande d'autorisation d'appel est rejetée.

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**28188 THE OFFICE OF THE COMMISSIONER OF OFFICIAL LANGUAGES - v. - ROBERT LAVIGNE (FC) (Civil)**

CORAM: The Chief Justice, Iacobucci and Bastarache JJ.

The applications for leave to appeal and for leave to cross-appeal are granted.

Les demandes d'autorisation d'appel et d'appel-incident sont accordées.

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**28033 TAWICH DEVELOPMENT CORPORATION - v. - DEPUTY MINISTER OF REVENUE OF QUEBEC (Que.) (Civil)**

CORAM: The Chief Justice, Iacobucci and Bastarache JJ.

The application for leave to appeal is granted with costs in any event of the cause.

La demande d'autorisation d'appel est accordée avec dépens quelle que soit l'issue du pourvoi.

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**28092 RODERICK MACDONELL - c. - PROCUREUR GÉNÉRAL DU QUÉBEC ET ASSEMBLÉE NATIONALE (Qué.) (Civile)**

CORAM: Le Juge en chef et les juges Iacobucci et Bastarache

La demande d'autorisation d'appel est accordée.

The application for leave to appeal is granted.

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**28369**                    **ROBERT MACKENZIE - v. - HER MAJESTY THE QUEEN** (Ont.) (Criminal)

CORAM:                L'Heureux-Dubé, Arbour and LeBel JJ.

The application for leave to appeal is dismissed.

La demande d'autorisation d'appel est rejetée.

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**28121**                    **NATALY PERRON - c. - LE MINISTRE DU REVENU NATIONAL** (CF) (Civile)

CORAM:                Les juges L'Heureux-Dubé, Arbour et LeBel.

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

The application for leave to appeal is dismissed without costs.

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**27900**                    **CLARENCE PARADIS - c. - LES HONORABLES JUGES; PAUL-ARTHUR GENDREAU, MORRIS J. FISH, RENÉ LETARTE (AD HOC)., LA COMMISSION DES LÉSIONS PROFESSIONNELLES ET KRAFT CANADA INC.** (Qué.) (Civile)

CORAM:                Les juges L'Heureux-Dubé, Arbour et LeBel.

La demande d'autorisation d'appel est rejetée.

The application for leave to appeal is dismissed.

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**28077**                    **WILFRIED KOCH - c. - HYDRO QUÉBEC - et entre - WILFRIED KOCH - c. - HYDRO QUÉBEC, CORPORATION DU VILLAGE DE RAWDON ET LE CLUB JURIDIQUE - et entre - WILFRIED KOCH - c. - HYDRO QUÉBEC ET L'OFFICIER DU BUREAU DE LA PUBLICITÉ DES DROITS DE LA CIRCONSCRIPTION FONCIÈRE DE MONTCALM** (Qué.) (Civile)

CORAM:                Les juges L'Heureux-Dubé, Arbour et LeBel.

La demande d'autorisation d'appel est rejetée avec dépens dans cette Cour en faveur de l'intimée Hydro Québec.

The application for leave to appeal is dismissed with costs in this Court to the respondent Hydro Québec.

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**28082**                    **158514 CANADA INC. (PLACE DU SAGUENAY) AND BURNAC LEASEHOLDS, A DIVISION OF BURNAC CORPORATION - v. - STÉPHANE LACHANCE & ASSOCIÉS INC., IN ITS QUALITY AS TRUSTY IN THE BANKRUPTCY OF GROUPE BOUTIQUE CHÉRIE INC., SAM LÉVY & ASSOCIÉS INC., IN ITS QUALITY AS TRUSTEE TO BANKRUPTCY OF ARTHUR BLUMER AND DAVID BLUMER** (Que.) (Civil)

CORAM:                L'Heureux-Dubé, Arbour and LeBel JJ.

The application for leave to appeal is dismissed with costs to the respondent Sam Lévy & Associés Inc., in its quality as trustee to bankruptcy of Arthur Blumer and David Blumer.

La demande d'autorisation d'appel est rejetée avec dépens en faveur de l'intimée Sam Lévy & Associés Inc.,  
ès qualités de syndic à la faillite de Arthur Blumer et David Blumer.

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**28126**            **LYNDON AND FRAN BLACKLAWS, JOHN MICHAEL AND HEATHER A. SMITH ON  
BEHALF OF THEMSELVES AND ALL OTHER MEMBERS OF A CLASS HAVING  
CLAIMS AGAINST 470433 ALBERTA LTD. CARRYING ON BUSINESS AS GHOSTPINE  
LAKE GOLF & COUNTRY RESORT AND SAM MORROW - v. - SAM MORROW** (Alta.)  
(Civil)

CORAM:            L'Heureux-Dubé, Arbour and LeBel 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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**28280**            **MAURICE BOUCHER - c. - SA MAJESTÉ LA REINE** (Qué.) (Criminelle)

CORAM:            Les juges L'Heureux-Dubé, Arbour et LeBel.

La demande d'autorisation d'appel est rejetée.

The application for leave to appeal is dismissed.

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**28124**            **FRATERNITÉ DES PRÉPOSÉS À L'ENTRETIEN DES VOIES - c. - CANADIEN  
PACIFIQUE LIMITÉE** (Qué.) (Civile)

CORAM:            Les juges L'Heureux-Dubé, Arbour et LeBel.

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

The application for leave to appeal is dismissed with costs.

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**28205**            **JONES POWER CO. LIMITED AND J.A. JONES CONSTRUCTION COMPANY - v. -  
MITSUI & CO. (POINT ACONI) LTD.** (N.S.) (Civil)

CORAM:            L'Heureux-Dubé, Arbour and LeBel 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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**28162**            **JOHANNE BLACKBURN - c. - SYLVAIN BOIVIN** (Qué.) (Civile)

CORAM:           Les juges L'Heureux-Dubé, Arbour et LeBel.

La demande d'autorisation d'appel est rejetée.

The application for leave to appeal is dismissed.

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**28152**            **605715 SASKATCHEWAN LTD., CARRYING ON BUSINESS UNDER THE NAME "SHOWGIRLS" AND SALLY DUBE - v. - THE SASKATCHEWAN LIQUOR AND GAMING LICENSING COMMISSION, THE SASKATCHEWAN LIQUOR AND GAMING AUTHORITY AND THE ATTORNEY GENERAL FOR SASKATCHEWAN** (Sask.) (Civil)

CORAM:           L'Heureux-Dubé, Arbour and LeBel JJ.

The application for leave to appeal is dismissed with costs to the respondent the Saskatchewan Liquor and Gaming Authority.

La demande d'autorisation d'appel est rejetée avec dépens en faveur de l'intimée Saskatchewan Liquor and Gaming Authority.

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**28070**            **HUGHES COMMUNICATIONS INC. - v. - SPAR AEROSPACE LIMITED - and between - WESTINGHOUSE ELECTRIC CORPORATION - v. - SPAR AEROSPACE LIMITED - and between - MOTIENT CORPORATION - v. - SPAR AEROSPACE LIMITED - and between - SATELLITE TRANSMISSIONS SYSTEMS INC. - v. - SPAR AEROSPACE LIMITED** (Que.) (Civil)

CORAM:           L'Heureux-Dubé, Arbour and LeBel JJ.

The applications for leave to appeal are granted.

Les demandes d'autorisation d'appel sont accordées.

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**28011**            **GÉRALD LAROSE ET CONFÉDÉRATION DES SYNDICATS NATIONAUX - c. - RÉJEAN FLEURY** (Qué.) (Civile)

CORAM:           Les juges L'Heureux-Dubé, Arbour et LeBel.

La demande d'autorisation d'appel est rejetée.

The application for leave to appeal is dismissed.

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**28385**                    **HER MAJESTY THE QUEEN - v. - JEFFREY FINK** (Ont.) (Criminal)

CORAM:                L'Heureux-Dubé, Arbour and LeBel JJ.

The application for leave to appeal is granted.

La demande d'autorisation d'appel est accordée.

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**28384**                    **HER MAJESTY THE QUEEN - v. - TERRY CLAUS AND BAY-WALSH LTD.** (Ont.)  
(Criminal)

CORAM:                L'Heureux-Dubé, Arbour and LeBel JJ.

The application for leave to appeal is granted.

La demande d'autorisation d'appel est accordée.

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**28265**                    **ABDUL MOMEN SHAHNAWAZ - v. - HER MAJESTY THE QUEEN** (Ont.) (Criminal)

CORAM:                Gonthier, Major and Binnie JJ.

The application for leave to appeal is dismissed.

La demande d'autorisation d'appel est rejetée.

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**28114**                    **RANJIT PERERA - v. - THE ATTORNEY GENERAL OF CANADA** (FC) (Civil)

CORAM:                Gonthier, Major and Binnie JJ.

The application for leave to appeal is dismissed.

La demande d'autorisation d'appel est rejetée.

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**28227**                    **BELL EXPRESSVU LIMITED PARTNERSHIP - v. - RICHARD REX, RICHARD REX, C.O.B. AS 'CAN-AM SATELLITES', RICHARD REX C.O.B. AS 'CAN AM SATELLITES' AND C.O.B. AS 'CANAM SATELLITES' AND C.O.B. AS 'CAN AM SATELLITE' AND C.O.B. AS 'CAN AM SAT' AND C.O.B. AS 'CAN-AM SATELLITES DIGITAL MEDIA GROUP' AND, C.O.B. AS 'CAN-AM DIGITAL MEDIA GROUP' AND C.O.B. AS 'DIGITAL MEDIA GROUP, ANNE MARIE HALLEY A.K.A. ANNE MARIE REX, MICHAEL REX A.K.A. MIKE REX, RODNEY KIBLER A.K.A. ROD KIBLER, LEE-ANNE PATTERSON, JAY RAYMOND, JASON ANTHONY, JOHN DOE 1 TO 20,, JANE DOE 1 TO 20 AND ANY OTHER PERSON OR PERSONS FOUND ON THE PREMISES OR IDENTIFIED AS WORKING AT THE PREMISES AT 22409 MCINTOSH AVENUE, MAPLE RIDGE, BRITISH COLUMBIA, WHO OPERATE OR WORK FOR BUSINESSES CARRYING ON BUSINESS UNDER THE NAME AND STYLE OF, 'CAN-AM SATELLITES', 'CAN AM SATELLITES', 'CANAMSATELLITES', 'CAN AMSATELLITE', 'CANAM SAT', 'CAN-AM SATELLITES DIGITAL MEDIA GROUP', 'CAN-AMDIGITAL MEDIA GROUP', 'DIGITAL MEDIA GROUP', OR ONE OR MORE OF THEM, MICHELLE LEE** (B.C.) (Civil)

CORAM: Gonthier, Major and Binnie JJ.

The application for leave to appeal is granted with costs to the applicant in any event of the cause.

La demande d'autorisation d'appel est accordée avec dépens en faveur de la demanderesse quelle que soit l'issue du pourvoi.

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27854

**A.H. - c. - INSTITUT PHILIPPE PINEL, DR. PAUL-ANDRÉ LAFLEUR, DR. LUCIE LEGAULT, DR. FRÉDÉRIC MILLAUD, DR. JACQUES VOYER ET DR. BENOIT DASSYLVA - et - HÔTEL-DIEU DE SOREL ET DR. YVES DION** (Qué.) (Civile)

CORAM: Les juges L'Heureux-Dubé, Bastarache et LeBel.

La requête en sursis d'exécution et la demande de réexamen de la demande d'autorisation d'appel sont rejetées avec dépens en faveur des intimés.

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

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