

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

OTTAWA, 2010-06-10. 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 APPELS ET DEMANDES D'AUTORISATION

OTTAWA, 2010-06-10. 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

COMMENTS/COMMENTAIRES: comments-commentaires@scc-csc.gc.ca

APPEALS / APPELS :

Reasons for judgment will be available shortly at: / Motifs de jugement disponibles sous peu à:

<http://scc.lexum.umontreal.ca/en/2010/2010scc21/2010scc21.html>

<http://scc.lexum.umontreal.ca/fr/2010/2010csc21/2010csc21.html>

32865 **Canadian Broadcasting Corporation, Edmonton Journal, a Division of CanWest MediaWorks Publications Inc., CTV Television Inc. and Bell Globemedia Publishing Inc., carrying on business as The Globe and Mail - and - Edmonton Sun, a Division of Sun Media Corporation v. Her Majesty The Queen and Michael James White - and - Director of Public Prosecutions of Canada, Attorney General of Ontario and Canadian Civil Liberties Association** (Alta.)
2010 SCC 21 / 2010 CSC 21

Coram: McLachlin C.J. and Binnie, LeBel, Deschamps, Fish, Abella, Charron, Rothstein and Cromwell JJ

The appeal from the judgment of the Court of Appeal of Alberta (Edmonton), Numbers 0703-0171-A, 0703-0202-A, 0703-0239-A and 0803-0080-AC, 2008 ABCA 294, dated September 3, 2008, heard on November 16, 2009, is dismissed. The constitutionality of s. 517 of the *Criminal Code* is upheld. Abella J. is dissenting.

L'appel interjeté contre l'arrêt de la Cour d'appel de l'Alberta (Edmonton), numéros 0703-0171-A, 0703-0202-A, 0703-0239-A et 0803-0080-AC, 2008 ABCA 294, en date du 3 septembre 2008, entendu le 16 novembre 2009, est rejeté. La constitutionnalité de l'art. 517 du *Code criminel* est confirmée. La juge Abella est dissidente.

Reasons for judgment will be available shortly at: / Motifs de jugement disponibles sous peu à:

<http://scc.lexum.umontreal.ca/en/2010/2010scc21/2010scc21.html>

<http://scc.lexum.umontreal.ca/fr/2010/2010csc21/2010csc21.html>

33085 **Toronto Star Newspapers Ltd., Canadian Broadcasting Corporation, Associated Press and CTV Television Inc. v. Her Majesty The Queen in Right of Canada and A.A. - and - F.A., S.A., Qayyum Abdul Jamal, A.M.D., S.V.C. and Ahmad Mustafa Ghany - and - Attorney General of Ontario, Attorney General of Alberta, N.S. (being a Young Person within the meaning of the**

Youth Criminal Justice Act, N.Y. (being a Young Person within the meaning of the *Youth Criminal Justice Act*), *Canadian Civil Liberties Association, Canadian Newspaper Association, AD IDEM/Canadian Media Lawyers Association, RTNDA Canada/Association of Electronic Journalists and Canadian Association of Journalists* (Ont.)
2010 SCC 21 / 2010 CSC 21

Coram: McLachlin C.J. and Binnie, LeBel, Deschamps, Fish, Abella, Charron, Rothstein and Cromwell JJ

The appeal from the judgment of the Court of Appeal for Ontario, Numbers C46864 and C45923, 2009 ONCA 59, dated January 26, 2009, heard on November 16, 2009, is dismissed and the cross-appeal is allowed. The constitutionality of s. 517 of the *Criminal Code* is upheld. Abella J. is dissenting.

L'appel interjeté contre l'arrêt de la Cour d'appel de l'Ontario, numéros C46864 et C45923, 2009 ONCA 59, en date du 26 janvier 2009, entendu le 16 novembre 2009, est rejeté et l'appel incident est accueilli. La constitutionnalité de l'art. 517 du *Code criminel* est confirmée. La juge Abella est dissidente.

APPLICATIONS FOR LEAVE / DEMANDES D'AUTORISATION:

Note for subscribers:

The summaries of the cases are available at <http://www.scc-csc.gc.ca>:

Click on Cases and on SCC Case Information, type in the Case Number and press Search. Click on the Case Number on the Search Results screen, and when the docket screen appears, click on "Summary" which will appear in the left column.

Alternatively, click on

http://scc.lexum.umontreal.ca/en/news_release/2010/10-06-07.2a/10-06-07.2a.html or
http://scc.lexum.umontreal.ca/en/news_release/2010/10-06-08.2a/10-06-08.2a.html

Note pour les abonnés :

Les sommaires des causes sont affichés à l'adresse <http://www.scc-csc.gc.ca> :

Cliquez sur « Dossiers », puis sur « Renseignements sur les dossiers ». Tapez le n° de dossier et appuyez sur « Recherche ». Cliquez sur le n° du dossier dans les Résultats de la recherche pour accéder au Registre. Cliquez enfin sur le lien menant au « Sommaire » qui figure dans la colonne de gauche.

Autre façon de procéder : Cliquez sur

http://scc.lexum.umontreal.ca/fr/news_release/2010/10-06-07.2a/10-06-07.2a.html ou
http://scc.lexum.umontreal.ca/fr/news_release/2010/10-06-08.2a/10-06-08.2a.html

GRANTED WITH COSTS / ACCORDÉE AVEC DÉPENS

Lax Kw'alaams Indian Band, represented by Chief Councillor Garry Reece on his own behalf and on behalf of the members of the Lax Kw'alaams Indian Band and others v. Attorney General of Canada et al. (B.C.) (Civil) (By Leave) (33581)

Coram: Binnie / Fish / Rothstein

DISMISSED WITH COSTS / REJETÉES AVEC DÉPENS

Aurelius Capital Management, LP et al. v. Smurfit-Stone Container Canada Inc. et al. (Ont.) (Civil) (By Leave) (33665)
(The application for leave to appeal is dismissed with costs to the respondents Smurfit-Stone Container Canada Inc., 3083527 Nova Scotia Company, MBI Limited/Limitée, 639647 British Columbia Ltd., B.C. Shipper Supplies Ltd., Specialty Containers Inc., 605681 N.B. Inc., Francobec Company, Stone Container Finance Company of Canada II, Official Committee of Unsecured Creditors of Smurfit-Stone Container Corporation, Smurfit-MBI and SLP Finance General Partnership. /

La demande d'autorisation d'appel est rejetée avec dépens en faveur des intimées Smurfit-Stone Container Canada Inc., 3083527 Nova Scotia Company, MBI Limited/Limitée, 639647 British Columbia Ltd., B.C. Shipper Supplies Ltd., Specialty Containers Inc., 605681 N.B. Inc., Francobec Company, Stone Container Finance Company of Canada II, Official Committee of Unsecured Creditors of Smurfit-Stone Container Corporation, Smurfit-MBI et SLP Finance General Partnership.)

Coram: Binnie / Fish / Rothstein

Aurelius Capital Management, LP et al. v. Smurfit-Stone Container Canada Inc. et al. (Ont.) (Civil) (By Leave) (33666)
(The application for leave to appeal is dismissed with costs to the respondents Smurfit-Stone Container Canada Inc., 3083527 Nova Scotia Company, MBI Limited/Limitée, 639647 British Columbia Ltd., B.C. Shipper Supplies Ltd., Specialty Containers Inc., 605681 N.B. Inc., Francobec Company, Stone Container Finance Company of Canada II, Official Committee of Unsecured Creditors of Smurfit-Stone Container Corporation, Smurfit-MBI and SLP Finance General Partnership. /

La demande d'autorisation d'appel est rejetée avec dépens en faveur des intimées Smurfit-Stone Container Canada Inc., 3083527 Nova Scotia Company, MBI Limited/Limitée, 639647 British Columbia Ltd., B.C. Shipper Supplies Ltd., Specialty Containers Inc., 605681 N.B. Inc., Francobec Company, Stone Container Finance Company of Canada II, Official Committee of Unsecured Creditors of Smurfit-Stone Container Corporation, Smurfit-MBI et SLP Finance General Partnership.)

Coram: Binnie / Fish / Rothstein

Maureen Boldt v. Law Society of Upper Canada (Ont.) (Criminal) (By Leave) (33573)

(The motion for an extension of time to serve and file the application for leave to appeal is granted. The application for leave to appeal is dismissed with costs. /

La requête en prorogation du délai de signification et de dépôt de la demande d'autorisation d'appel est accordée. La demande d'autorisation d'appel est rejetée avec dépens.)

Coram: LeBel / Deschamps / Charron

Arthrolab Inc. c. Julie Brunet (Qc) (Civile) (Autorisation) (33615)

(La demande d'autorisation d'appel est rejetée avec dépens en faveur de l'intimée Julie Brunet. /

The application for leave to appeal is dismissed with costs to the respondent Julie Brunet.)

Coram: LeBel / Deschamps / Charron

Linda Jean, Chief of the Micmac Nation of Gespeg, in her own name and in the name of all the other members of her Band et al. v. Minister of Indian and Northern Affairs Canada et al. (F.C.) (Civil) (By Leave) (33586)

Coram: LeBel / Deschamps / Charron

DISMISSED WITHOUT COSTS / REJETÉES SANS DÉPENS

Louis Rosin v. Her Majesty the Queen (Ontario) et al. (Ont.) (Criminal) (By Leave) (33593)
Coram: Binnie / Fish / Rothstein

Bashir Mohamed v. Her Majesty the Queen (Ont.) (Criminal) (By Leave) (33604)
(The motion for an extension of time to serve and file the application for leave to appeal and the motion for an extension of time to serve and file the response to the application for leave to appeal are granted. The motion to appoint counsel and the application for leave to appeal are dismissed without costs. /
La requête en prorogation du délai de signification et de dépôt de la demande d'autorisation d'appel et la requête en prorogation du délai de signification et de dépôt de la réponse à la demande d'autorisation d'appel sont accordées. La requête en nomination de procureur et la demande d'autorisation d'appel sont rejetées sans dépens.)
Coram: Binnie / Fish / Rothstein

James William Cook c. Sa Majesté la Reine (Qc) (Criminelle) (Autorisation) (33626)
(La requête en prorogation du délai de signification et de dépôt de la demande d'autorisation d'appel est accordée. La demande d'autorisation d'appel est rejetée sans dépens. /
The motion for an extension of time to serve and file the application for leave to appeal is granted. The application for leave to appeal is dismissed without costs.)
Coram: LeBel / Deschamps / Charron
