

# Supreme Court of Canada / Cour suprême du Canada

(Le français suit)

## JUDGMENTS ON LEAVE APPLICATIONS

**September 19, 2024**

**OTTAWA** – The Supreme Court of Canada has decided the following leave applications.

### GRANTED

*Pharmascience Inc. v. Janssen Inc. and Janssen Pharmaceutica N.V.* (Fed.) (Civil) (By Leave) ([41209](#))

The application for leave to appeal from the judgment of the Federal Court of Appeal, Number A-205-22, 2024 FCA 23, dated February 1, 2024, is granted with costs in the cause.

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### DISMISSED

*Kyle Firlotte v. His Majesty the King* (Ont.) (Criminal) (By Leave) ([41133](#))

The application for leave to appeal from the judgment of the Court of Appeal for Ontario, Number C69404, 2023 ONCA 854, dated December 22, 2023, is dismissed.

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*Cornelius P. Loepky, Karen G. Loepky, Cornelius P. Loepky in his capacity as Trustee of The Cornelius Loepky Family Trust, Connor Bridges in his capacity as Trustee of The Cornelius Loepky Family Trust and The Cornelius Loepky Family Trust v. Taylor McCaffrey LLP, Norman K. Snyder and N.K. Snyder Law Corporation* (Man.) (Civil) (By Leave) ([41120](#))

The application for leave to appeal from the judgment of the Court of Appeal of Manitoba, Numbers AI22-30-09728, AI22-30-09865, 2023 MBCA 101, dated December 15, 2023, is dismissed with costs.

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*Coseco Insurance Company v. Lynn Schroeder* (Ont.) (Civil) (By Leave) ([41187](#))

The application for leave to appeal from the judgment of the Court of Appeal for Ontario, Number COA-23-CV-0536, 2024 ONCA 54, dated January 24, 2024, is dismissed with costs.

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*ArcelorMittal Canada inc. and 7623704 Canada inc. v. His Majesty the King* (Que.) (Criminal) (By Leave) ([41119](#))

The application for leave to appeal from the judgment of the Court of Appeal of Quebec (Montréal), Number 500-10-007700-212, 2023 QCCA 1564, dated December 14, 2023, is dismissed.

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*Darryan Reshaun Edwards v. His Majesty the King* (Man.) (Criminal) (By Leave) ([41279](#))

The application for leave to appeal from the judgment of the Court of Appeal of Manitoba, Number AR22-30-09844, 2024 MBCA 27, dated March 21, 2024, is dismissed.

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*Huntly Investments Limited, Pacific Investment Corporation Limited, Brent Newton Wolverton, Mark Frank Wolverton, Lisa Marie Wolverton, Kathleen May Wolverton, DM Wolverton Trust and Wolverton Alter Ego Trust v. Casa Margarita Enterprises Ltd. and Anne Louise Wolverton* (B.C.) (Civil) (By Leave) ([41191](#))

The application for leave to appeal from the judgment of the Court of Appeal for British Columbia (Vancouver), Number CA49174, 2024 BCCA 31, dated January 26, 2024, is dismissed with costs to Casa Margarita Enterprises Ltd.

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*Sorensen Trilogy Engineering Ltd., Brian McClure, Theodore Tracy Sorensen and Brian Douglas Lange v. Centurion Apartment Properties Limited Partnership and Centurion Apartment Properties (Danbrook One) Inc., Loco Investments Inc., Margaret McKay, DB Services of Victoria Inc. - and between - Sorensen Trilogy Engineering Ltd., Brian McClure, Theodore Tracy Sorensen and Brian Douglas Lange v. Loco Investments Inc., Margaret McKay, DB Services of Victoria Inc., Centurion Apartment Properties Limited Partnership and Centurion Apartment Properties (Danbrook One) Inc.* (B.C.) (Civil) (By Leave) ([41192](#))

The application for leave to appeal from the judgment of the Court of Appeal for British Columbia (Vancouver), Numbers CA48819 and CA48832, 2024 BCCA 25, dated January 24, 2024, is dismissed with costs to the respondents Centurion Apartment Properties Limited Partnership, Centurion Apartment Properties (Danbrook One) Inc., Loco Investments Inc. and Margaret McKay.

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*Teisha Leanne Focken v. Mark Jonathan Miller and Andrew Kurt Best* (B.C.) (Civil) (By Leave) ([41244](#))

The application for leave to appeal from the judgment of the Court of Appeal for British Columbia (Vancouver), Number CA48734, 2024 BCCA 74, dated March 1, 2024, is dismissed with costs.

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*Gary Curtis v. Bank of Nova Scotia* (Ont.) (Civil) (By Leave) ([41305](#))

The application for leave to appeal from the judgment of the Court of Appeal for Ontario, Number COA-24-CV-0038, 2024 ONCA 374, dated May 10, 2024, is dismissed.

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*Éric Pelletier v. His Majesty the King* (Que.) (Criminal) (By Leave) ([41216](#))

The application for leave to appeal from the judgment of the Court of Appeal of Quebec (Québec), Number 200-10-003985-228, 2024 QCCA 183, dated February 13, 2024, is dismissed.

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*Kalen Schlatter v. His Majesty the King* (Ont.) (Criminal) (By Leave) ([41301](#))

The motion for an extension of time to serve and file the application for leave to appeal from the judgment of the Court of Appeal for Ontario, Number C68354, 2024 ONCA 56, dated January 24, 2024, is dismissed.

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*Rina Del Giudice and Daniel Wood v. Paige Thompson, Capital One Financial Corporation, Capital One Bank (Canada Branch), Capital One (Services) Canada Inc., Capital One, N.A., Capital One Bank (USA), N.A., Amazon Web Services Inc., and Amazon Web Services (Canada) Inc.* (Ont.) (Civil) (By Leave) ([41202](#))

The application for leave to appeal from the judgment of the Court of Appeal for Ontario, Numbers C70175 and M53810, 2024 ONCA 70, dated January 31, 2024, is dismissed with costs to the respondents Capital One Financial Corporation, Capital One Bank (Canada Branch), Capital One (Services) Canada Inc., Capital One, N.A., Capital One Bank (USA), N.A., Amazon Web Services Inc., and Amazon Web Services (Canada) Inc.

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*Chang Jacques v. Rona Inc.* (B.C.) (Civil) (By Leave) ([41326](#))

The motion for an extension of time to serve and file the application for leave to appeal from the judgment of the Court of Appeal for British Columbia (Vancouver), Number CA47575, 2021 BCCA 340, dated September 9, 2021, is dismissed.

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*Chang Jacques v. Jennifer Muir* (B.C.) (Civil) (By Leave) ([41327](#))

The motion for an extension of time to serve and file the application for leave to appeal from the judgment of the Court of Appeal for British Columbia (Vancouver), Number CA47594, 2021 BCCA 363, dated September 17, 2021, is dismissed.

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*Fetsum Zewdie v. Frehiwot Thomas Shine* (Alta.) (Civil) (By Leave) ([41174](#))

The application for leave to appeal from the judgment of the Court of Appeal of Alberta (Calgary), Number 2301-0292AC, dated February 8, 2024, is dismissed with costs in accordance with the tariff of fees and disbursements set out in Schedule B of the *Rules of the Supreme Court of Canada*.

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*John Emmons v. Alberta (Worker's Compensation Board)* (Alta.) (Civil) (By Leave) ([41263](#))

The application for leave to appeal from the judgment of the Court of Appeal of Alberta (Calgary), Number 2301-0031AC, 2024 ABCA 78, dated March 6, 2024, is dismissed.

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## JUGEMENTS SUR DEMANDES D'AUTORISATION

**Le 19 septembre 2024**

**OTTAWA** – La Cour suprême du Canada s'est prononcée sur les demandes d'autorisation suivantes.

## ACCORDÉE

*Pharmascience Inc. c. Janssen Inc. et Janssen Pharmaceutica N.V.* (Féd.) (Civile) (Autorisation) ([41209](#))

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel fédérale, numéro A-205-22, 2024 CAF 23, daté du 1 février 2024, est accueillie avec dépens selon l'issue de la cause.

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## REJETÉES

*Kyle Firlotte c. Sa Majesté le Roi* (Ont.) (Criminelle) (Autorisation) ([41133](#))

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel de l'Ontario, numéro C69404, 2023 ONCA 854, daté du 22 décembre 2023, est rejetée.

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*Cornelius P. Loepky, Karen G. Loepky, Cornelius P. Loepky en sa qualité de fiduciaire de la Cornelius Loepky Family Trust, Connor Bridges en sa qualité de fiduciaire de la Cornelius Loepky Family Trust et la Cornelius Loepky Family Trust c. Taylor McCaffrey LLP, Norman K. Snyder and N.K. Snyder Law Corporation* (Man.) (Civile) (Autorisation) ([41120](#))

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel du Manitoba, numéros AI22-30-09728, AI22-30-09865, 2023 MBCA 101, daté du 15 décembre 2023, est rejetée avec dépens.

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*Compagnie d'assurance Coseco c. Lynn Schroeder* (Ont.) (Civile) (Autorisation) ([41187](#))

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel de l'Ontario, numéro COA-23-CV-0536, 2024 ONCA 54, daté du 24 janvier 2024, est rejetée avec dépens.

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*ArcelorMittal Canada inc. et 7623704 Canada inc. c. Sa Majesté le Roi* (Que.) (Criminelle) (Autorisation) ([41119](#))

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel du Québec (Montréal), numéro 500-10-007700-212, 2023 QCCA 1564, daté du 14 décembre 2023, est rejetée.

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*Darryan Reshaun Edwards c. Sa Majesté le Roi* (Man.) (Criminelle) (Autorisation) ([41279](#))

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel du Manitoba, numéro AR22-30-09844, 2024 MBCA 27, daté du 21 mars 2024, est rejetée.

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*Huntly Investments Limited, Pacific Investment Corporation Limited, Brent Newton Wolverton, Mark Frank Wolverton, Lisa Marie Wolverton, Kathleen May Wolverton, DM Wolverton Trust et Wolverton Alter Ego Trust c. Casa Margarita Enterprises Ltd. et Anne Louise Wolverton* (C.-B.) (Civile) (Autorisation) ([41191](#))

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel de la Colombie-Britannique (Vancouver), numéro CA49174, 2024 BCCA 31, daté du 26 janvier 2024, est rejetée avec dépens à Casa Margarita Enterprises Ltd.

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*Sorensen Trilogy Engineering Ltd., Brian McClure, Theodore Tracy Sorensen et Brian Douglas Lange c. Centurion Apartment Properties Limited Partnership and Centurion Apartment Properties (Danbrook One) Inc., Loco Investments Inc., Margaret McKay et DB Services of Victoria Inc. - et entre - Sorensen Trilogy Engineering Ltd., Brian McClure, Theodore Tracy Sorensen et Brian Douglas Lange c. Loco Investments Inc., Margaret McKay, DB Services of Victoria Inc., Centurion Apartment Properties Limited Partnership et Centurion Apartment Properties (Danbrook One) Inc. (C.-B.) (Civile) (Autorisation) ([41192](#))*

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel de la Colombie-Britannique (Vancouver), numéros CA48819 et CA48832, 2024 BCCA 25, daté du 24 janvier 2024, est rejetée avec dépens aux intimés Centurion Apartment Properties Limited Partnership, Centurion Apartment Properties (Danbrook One) Inc., Loco Investments Inc. et Margaret McKay.

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*Teisha Leanne Focken c. Mark Jonathan Miller et Andrew Kurt Best (C.-B.) (Civile) (Autorisation) ([41244](#))*

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel de la Colombie-Britannique (Vancouver), numéro CA48734, 2024 BCCA 74, daté du 1 mars 2024, est rejetée avec dépens.

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*Gary Curtis c. Bank of Nova Scotia (Ont.) (Civile) (Autorisation) ([41305](#))*

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel de l'Ontario, numéro COA-24-CV-0038, 2024 ONCA 374, daté du 10 mai 2024, est rejetée.

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*Éric Pelletier c. Sa Majesté le Roi (Que.) (Criminelle) (Autorisation) ([41216](#))*

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel du Québec (Québec), numéro 200-10-003985-228, 2024 QCCA 183, daté du 13 février 2024, est rejetée.

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*Kalen Schlatter c. Sa Majesté le Roi (Ont.) (Criminelle) (Autorisation) ([41301](#))*

La requête en prorogation du délai de signification et de dépôt de la demande d'autorisation d'appel de l'arrêt de la Cour d'appel de l'Ontario, numéro C68354, 2024 ONCA 56, daté du 24 janvier 2024, est rejetée.

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*Rina Del Giudice et Daniel Wood c. Paige Thompson, Capital One Financial Corporation, Capital One Bank (Canada Branch), Capital One (Services) Canada Inc., Capital One, N.A., Capital One Bank (USA), N.A., Amazon Web Services Inc., et Amazon Web Services (Canada) Inc. (Ont.) (Civile) (Autorisation) ([41202](#))*

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel de l'Ontario, numéros C70175 et M53810, 2024 ONCA 70, daté du 31 janvier 2024, est rejetée avec dépens aux intimées Capital One Financial Corporation, Capital One Bank (Canada Branch), Capital One (Services) Canada Inc., Capital One, N.A., Capital One Bank (USA), N.A., Amazon Web Services Inc., et Amazon Web Services (Canada) Inc.

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*Chang Jacques c. Rona Inc. (C.-B.) (Civile) (Autorisation) ([41326](#))*

La requête en prorogation du délai de signification et de dépôt de la demande d'autorisation d'appel de l'arrêt de la Cour d'appel de la Colombie-Britannique (Vancouver), numéro CA47575, 2021 BCCA 340, daté du 9 septembre 2021, est rejetée.

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*Chang Jacques c. Jennifer Muir (C.-B.) (Civile) (Autorisation) ([41327](#))*

La requête en prorogation du délai de signification et de dépôt de la demande d'autorisation d'appel de l'arrêt de la Cour d'appel de la Colombie-Britannique (Vancouver), numéro CA47594, 2021 BCCA 363, daté du 17 septembre 2021, est rejetée.

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*Fetsum Zewdie v. Frehiwot Thomas Shine (Alb.) (Civile) (Autorisation) ([41174](#))*

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel de l'Alberta (Calgary), numéro 2301-0292AC, daté du 8 février 2024, est rejetée avec dépens conformément au tarif des honoraires et débours établi à l'Annexe B des *Règles de la Cour suprême du Canada*.

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*John Emmons c. Alberta (Worker's Compensation Board) (Alb.) (Civile) (Autorisation) ([41263](#))*

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel de l'Alberta (Calgary), numéro 2301-0031AC, 2024 ABCA 78, daté du 6 mars 2024, est rejetée.

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