

March 30, 2006

Le 30 mars 2006

Coram: LeBel, Fish and Abella JJ.

Coram : Les juges LeBel, Fish et Abella

**BETWEEN:**

Hy and Zel's Incorporated, Darrel J. Burke,  
the Kitchen Table Inc., the Warehouse Drug  
Store Ltd., Title Distributing Limited, Judith  
D. Perrin, Jay Alan Cantor, Ronald Bivens,  
Larry Boyd Colborne, Timothy P. Collins,  
Tina Deslippe, Frank Digiovanni,  
Mohammed J. Din, Larry Colborne, Kenneth  
F. Dowling, Patrick Francis, Claude  
Frappier, Herbies Drug & Food Warehouse  
Ltd., Herbies Drug Warehousing Limited,  
David Herman, Romeo Joseph, Rick  
Jamieson, Melody Anne Kaine, Paul  
Mackey, Paul D. Maginnis, Jeff Marquette,  
Brian Neufeld, Judith D. Perrin, Gerard  
Richer, Justin R. Sauve, Mohsin Virjee,  
988288 Ontario Limited

Applicants

- and -

Her Majesty the Queen

Respondent

**JUDGMENT**

The application for an extension of time is granted and the application for leave to appeal from the judgment of the Court of Appeal for Ontario, Number C39374, dated September 13, 2005, is dismissed without costs.

**ENTRE :**

Hy and Zel's Incorporated, Darrel J. Burke,  
the Kitchen Table Inc., the Warehouse Drug  
Store Ltd., Title Distributing Limited, Judith  
D. Perrin, Jay Alan Cantor, Ronald Bivens,  
Larry Boyd Colborne, Timothy P. Collins,,  
Tina Deslippe, Frank Digiovanni,  
Mohammed J. Din, Larry Colborne, Kenneth  
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Brian Neufeld, Judith D. Perrin, Gerard  
Richer, Justin R. Sauve, Mohsin Virjee,  
988288 Ontario Limited

Demandeurs

- et -

Sa Majesté la Reine

Intimée

**JUGEMENT**

La demande de prorogation de délai est accordée et la demande d'autorisation d'appel de l'arrêt de la Cour d'appel de l'Ontario, numéro C39374, daté du 13 septembre 2005, est rejetée sans dépens.

J.S.C.C.  
J.C.S.C.