

October 12, 2006

Le 12 octobre 2006

Coram: Binnie, Deschamps and Abella JJ.

Coram : Les juges Binnie, Deschamps et Abella

**BETWEEN:**

**ENTRE :**

Her Majesty the Queen in Right of Alberta  
as Represented by the Minister of Health  
and Wellness

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as Represented by the Minister of Health  
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Applicant

Demanderesse

- and -

- et -

Apotex Inc.

Apotex Inc.

Respondent

Intimée

**JUDGMENT**

**JUGEMENT**

The application for leave to appeal from the judgment of the Court of Appeal of Alberta (Calgary), Number 0401-0062 AC, 2006 ABCA 133, dated April 26, 2006, is dismissed with costs.

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel de l'Alberta (Calgary), numéro 0401-0062 AC, 2006 ABCA 133, daté du 26 avril 2006, est rejetée avec dépens.

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