

April 23, 2009

Le 23 avril 2009

Coram: McLachlin C.J. and Abella and  
Rothstein JJ.

Coram : La juge en chef McLachlin et les  
juges Abella et Rothstein

**BETWEEN:**

**ENTRE :**

Kevan Drady

Kevan Drady

Applicant

Demandeur

- and -

- et -

Her Majesty the Queen in Right of Canada  
as represented by the Minister of Health,  
Attorney General of Canada, Baxter  
Healthcare Corporation, Baxter International  
Inc., Inamed LLC, Dow Corning  
Corporation, DCC Litigation Facility Inc.,  
Medtronic Xomed Surgical Production  
Incorporated, Smiths Medical Canada Ltd.,  
Bristol Myers Squibb Company, Religious  
Hospitaliers of Saint Joseph of the Hôtel  
Dieu of Kingston and A.K. Wyllie

Sa Majesté la Reine en chef du Canada,  
représentée par le Ministre de la Santé,  
Procureur général du Canada, Baxter  
Healthcare Corporation, Baxter International  
Inc., Inamed LLC, Dow Corning  
Corporation, DCC Litigation Facility Inc.,  
Medtronic Xomed Surgical Production  
Incorporated, Smiths Medical Canada Ltd.,  
Bristol Myers Squibb Company, Religious  
Hospitaliers of Saint Joseph of the Hôtel  
Dieu of Kingston et A.K. Wyllie

Respondents

Intimés

JUDGMENT

The application for an extension of time to serve and file the respondents' response of Baxter Healthcare Corporation, Baxter International Inc., Inamed LLC, Dow Corning Corporation, DCC Litigation Facility Inc., Medtronic Xomed Surgical Production Incorporated, Smiths Medical Canada Ltd. and Bristol Myers Squibb Company is granted. The application for leave to appeal from the judgment of the Court of Appeal for Ontario, Number C47556, 2008 ONCA 659, dated September 30, 2008, is dismissed with costs.

JUGEMENT

La demande de prorogation de délai pour signifier et déposer la réponse des intimées de Baxter Healthcare Corporation, Baxter International Inc., Inamed LLC, Dow Corning Corporation, DCC Litigation Facility Inc., Medtronic Xomed Surgical Production Incorporated, Smiths Medical Canada Ltd. et Bristol Myers Squibb Company est accordée. La demande d'autorisation d'appel de l'arrêt de la Cour d'appel de l'Ontario, numéro C47556, 2008 ONCA 659, daté du 30 septembre 2008, est rejetée avec dépens.

C.J.C.  
J.C.C.