

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

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

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.