

**SUPREME COURT OF CANADA**

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| **Citation:** Lajeunesse (Re), 2017 SCC 24, [2017] 1 S.C.R. 473 | **Appeal heard:** April 20, 2017  **Judgment rendered:** April 20, 2017  **Docket:** 37320 |

Between:

**Pierre-Michel Lajeunesse,**

**Annick Marcoux and**

**Les avocats et notaires de l’État québécois**

Appellants

- and -

Attorney General of Quebec,

Attorney General of Ontario,

Trial Lawyers Association of British Columbia,

Administrative Labour Tribunal

(formerly known as Commission des lésions professionnelles),

Commission des normes, de l'équité, de la santé et de la sécurité du travail

(formerly known as Commission de la santé et de la sécurité du travail) and

9069-4654 Québec inc.

Interveners

**Official English Translation**

**Coram:** McLachlin C.J. and Abella, Moldaver, Karakatsanis, Wagner, Gascon, Côté, Brown and Rowe JJ.

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| **Reasons for Judgment:**  (para. 1) | Gascon J. (McLachlin C.J. and Abella, Moldaver, Karakatsanis, Wagner, Côté, Brown and Rowe JJ. concurring) |

Lajeunesse (Re), 2017 SCC 24, [2017] 1 S.C.R. 473

Pierre-Michel Lajeunesse,

Annick Marcoux and Les avocats

et notaires de l’État québécois Appellants

and

Attorney General of Quebec,

Attorney General of Ontario,

Trial Lawyers Association of British Columbia,

Administrative Labour Tribunal

(formerly known as Commission des lésions professionnelles),

Commission des normes, de l'équité, de la santé et

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**Indexed as: Lajeunesse (Re)**

2017 SCC 24

File No.: 37320.

2017: April 20.

Present: McLachlin C.J. and Abella, Moldaver, Karakatsanis, Wagner, Gascon, Côté, Brown and Rowe JJ.

on appeal from the court of appeal of quebec

*Constitutional law — Charter of Rights — Freedom of association — Right to strike — Les avocats et notaires de l’État québécois launching indefinite strike — Administrative Labour Tribunal determining what essential services LANEQ’s members would be required to maintain during strike — Requests for adjournment included as essential service — Members of LANEQ requesting adjournment in appeal before Quebec Court of Appeal — Request for adjournment being dismissed on basis that Chief Justice of Quebec regarded hearings of Court of Appeal as essential service — Decision being appealed on ground that it was not made judicially and was ill-founded in law, and in particular that it impaired right to strike — Special Act being enacted to order members of LANEQ to return to work — Appeal now moot.*

APPEAL from a decision of the Quebec Court of Appeal (Dutil J.A.), rendered on November 9, 2016, dismissing a request for an adjournment made by the appellants. Appeal dismissed.

Guillaume Grenier and Pierre Grenier, for the appellants.

Sébastien Grammond, as *amicus curiae*.

Louis P. Bernier and Marc-André Boucher, for the intervener the Attorney General of Quebec.

Paul Boniferro, Sunil Kapur and Brandon Kain, for the intervener the Attorney General of Ontario.

Ariane Bisaillon and Mathew P. Good, for the intervener the Trial Lawyers Association of British Columbia.

No one appeared for the intervener the Administrative Labour Tribunal (formerly known as Commission des lésions professionnelles).

No one appeared for the intervener Commission des normes, de l'équité, de la santé et de la sécurité du travail (formerly known as Commission de la santé et de la sécurité du travail).

No one appeared for the intervener 9069-4654 Québec inc.

English version of the judgment of the Court delivered orally by

1. Gascon J. — We all agree that the question before us is moot, as the strike of LANEQ (Les avocats et notaires de l’État québécois) is over. The appeal is therefore dismissed without costs. In doing so, we endorse neither the process followed nor the validity of the considerations identified by the Court of Appeal in its decision.

*Judgment accordingly.*

Solicitors for the appellants: Melançon, Marceau, Grenier & Sciortino, Montréal.

Solicitors for the intervener the Attorney General of Quebec: Fasken Martineau DuMoulin, Montréal.

Solicitors for the intervener the Attorney General of Ontario: McCarthy Tétrault, Toronto.

Solicitors for the intervener the Trial Lawyers Association of British Columbia: Blake, Cassels & Graydon, Vancouver.