No. 40556

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| May 25, 2023 |  | Le 25 mai 2023 |
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| BETWEEN:His Majesty the King in Right of the Province of British ColumbiaApplicant / Respondent on cross-appeal- and -Apotex Inc., Bristol-Myers Squibb Canada, Bristol-Myers Squibb Company, Mylan Pharmaceutical ULC, Janssen Inc., Sandoz Canada Inc., Teva Canada Limited, Teva Canada Innovation G.P. – S.E.N.C., Actavis Pharma Company, Ranbaxy Pharmaceuticals Canada Inc., Pharmascience Inc., Imperial Distributors Canada Inc., LPG Inventory Solutions, McKesson Canada Corporation, Noramco Inc., Sanis Health Inc., Shoppers Drug Mart Inc., Valeant Canada LP / Valeant Canada S.E.C., Bausch Health Companies Inc., Paladin Labs, Endo Pharmaceuticals Inc., Endo International PLC and Endo Ventures Ltd.Respondents / Applicants on cross-appealApotex Pharmaceutical Holdings, Inc., Johnson & Johnson, Ethypharm Inc., Joddes Limited, Pro Doc Limitée, The Jean Coutu Group (PJC) Inc., Purdue Frederick Inc., Purdue Pharma Inc., Purdue Pharma L.P., The Purdue Frederick Company Inc., Sun Pharmaceutical Industries Ltd., Hikma Pharmaceuticals PLC, Hikma Labs Inc., West-Ward Columbus Inc., Roxane Laboratories Inc., Boehringer Ingelheim (Canada) Ltd. / Boehringer Ingelheim (Canada) Ltée., Teva Pharmaceuticals USA, Inc., Teva Pharmaceutical Industries Ltd., Amerisourcebergen Canada Corporation, Kohl & Frisch Distribution Inc., Kohl & Frisch Limited, Procurity Inc., Procurity Pharmacy Services Inc., Unipharm Wholesale Drugs Ltd., McKesson Corporation and Nu-Quest Distribution Inc.Respondents |  | ENTRE :Sa Majesté le Roi du chef de la province de la Colombie-BritanniqueDemandeur / Intimé à l’appel incident- et -Apotex Inc., La Société Bristol-Myers Squibb Canada, Bristol-Myers Squibb Company, Mylan Pharmaceutical ULC, Janssen Inc., Sandoz Canada Inc., Teva Canada Limitée, Teva Canada Innovation G.P. – S.E.N.C., Actavis Pharma Company, Ranbaxy Pharmaceuticals Canada Inc., Pharmascience Inc., Imperial Distributors Canada Inc., LPG Inventory Solutions, La Corporation McKesson Canada, Noramco Inc., Sanis Health Inc., Shoppers Drug Mart Inc., Valeant Canada LP / Valeant Canada S.E.C., Bausch Health Companies Inc., Paladin Labs, Endo Pharmaceuticals Inc., Endo International PLC et Endo Ventures Ltd.Intimés / Demandeurs à l’appel incidentApotex Pharmaceutical Holdings, Inc., Johnson & Johnson, Ethypharm Inc., Joddes Limited, Pro Doc Limitée, The Jean Coutu Group (PJC) Inc., Purdue Frederick Inc., Purdue Pharma Inc., Purdue Pharma L.P., The Purdue Frederick Company Inc., Sun Pharmaceutical Industries Ltd., Hikma Pharmaceuticals PLC, Hikma Labs Inc., West-Ward Columbus Inc., Roxane Laboratories Inc., Boehringer Ingelheim (Canada) Ltd. / Boehringer Ingelheim (Canada) Ltée., Teva Pharmaceuticals USA, Inc., Teva Pharmaceutical Industries Ltd., Amerisourcebergen Canada Corporation, Kohl & Frisch Distribution Inc., Kohl & Frisch Limited, Procurity Inc., Procurity Pharmacy Services Inc., Unipharm Wholesale Drugs Ltd., McKesson Corporation et Nu-Quest Distribution Inc.Intimés |
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| JUDGMENTThe application for leave to appeal from the judgments of the Court of Appeal for British Columbia (Vancouver), Numbers CA48049, CA48050, CA48051, CA48052 CA48053, CA48054, CA48055, CA48056, CA48057, CA48058, CA48060, CA48062, and CA48067, 2022 BCCA 366, dated November 2, 2022, is dismissed with costs to the respondents, Apotex Inc., Bristol-Myers Squibb Canada, Bristol-Myers Squibb Company, Mylan Pharmaceutical ULC, Janssen Inc., Sandoz Canada Inc., Teva Canada Limited, Teva Canada Innovation G.P. – S.E.N.C., Actavis Pharma Company, Ranbaxy Pharmaceuticals Canada Inc., Pharmascience Inc., Imperial Distributors Canada Inc., LPG Inventory Solutions, McKesson Canada Corporation, Noramco Inc., Sanis Health Inc., Shoppers Drug Mart Inc., Valeant Canada LP / Valeant Canada S.E.C., Bausch Health Companies Inc., Paladin Labs, Endo Pharmaceuticals Inc., Endo International PLC and Endo Ventures Ltd.The applications for leave to cross-appeal are dismissed with costs to the applicant.Côté and Rowe JJ. took no part in the judgment. |  | JUGEMENTLa demande d’autorisation d’appel des arrêts de la Cour d’appel de la Colombie-Britannique (Vancouver), numéros CA48049, CA48050, CA48051, CA48052, CA48053, CA48054, CA48055, CA48056, CA48057, CA48058, CA48060, CA48062 et CA48067, 2022 BCCA 366, daté du 2 novembre 2022, est rejetée avec dépens aux intimés, Apotex Inc., La Société Bristol-Myers Squibb Canada, Bristol-Myers Squibb Company, Mylan Pharmaceutical ULC, Janssen Inc., Sandoz Canada Inc., Teva Canada Limitée, Teva Canada Innovation G.P. – S.E.N.C., Actavis Pharma Company, Ranbaxy Pharmaceuticals Canada Inc., Pharmascience Inc., Imperial Distributors Canada Inc., LPG Inventory Solutions, La Corporation McKesson Canada, Noramco Inc., Sanis Health Inc., Shoppers Drug Mart Inc., Valeant Canada LP / Valeant Canada S.E.C., Bausch Health Companies Inc., Paladin Labs, Endo Pharmaceuticals Inc., Endo International PLC et Endo Ventures Ltd.Les demandes d’autorisation d’appel incident sont rejetées avec dépens au demandeur.Les juges Côté et Rowe n’ont pas participé au jugement. |

C.J.C.

J.C.C.