

Federal Court		Cour fédérale
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**Date: 20091124**

**Dockets: T-470-08  
T-939-08**

**Citation: 2009 FC 1206**

**Toronto, Ontario, November 24, 2009**

**PRESENT: The Honourable Mr. Justice Hughes**

**BETWEEN:**

**TEVA NEUROSCIENCE G.P. - S.E.N.C.**

**Applicant**

**and**

**ATTORNEY GENERAL OF CANADA**

**Respondent**

**FURTHER REASONS AND ORDER**

[1] These reasons and order are further to the reasons and judgment issued in these proceedings on November 12, 2009.

[2] The Court has now reviewed the letter dated November 23, 2009 filed with the Court by the Applicant's Counsel in terms approved by the Respondent's Counsel. This letter addresses the matter of costs of the application and return of the monies paid into the Consolidated Revenue Fund by the Applicant pursuant to Board's decision which decision has been quashed by the Judgment of this Court of November 12, 2009.

[3] First, as to costs, the parties are agreed as to the quantum of costs in the sum of \$12,000.00 and it will be so ordered.

[4] Second, as to repayment of the sum of \$2,417,223.29 paid by the Applicant into the Consolidated Revenue Fund, that sum should be returned promptly to the Applicant together with appropriate interest. The Respondent is requested to give prompt attention to this matter so as to effect such return.

**ORDER**

**For the reasons provided:**

**THIS COURT ORDERS that:**

1. Costs of this proceeding are payable by the Respondent to the Applicant fixed in the sum of \$12,000.00 which is inclusive of all fees, disbursements and GST; and
2. The Respondent is requested to give prompt attention to the matter of the return to the Applicant of the sum of \$2,417,223.29 together with applicable interest.

“Roger T. Hughes”

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Judge

**FEDERAL COURT**  
**SOLICITORS OF RECORD**

**DOCKETS:** T-470-08  
T-939-08

**STYLE OF CAUSE:** TEVA NEUROSCIENCE G.P.-S.E.N.C. v.  
ATTORNEY GENERAL OF CANADA

**CONSIDERED AT TORONTO, ONTARIO, WITHOUT PERSONAL APPEARANCE OF  
THE PARTIES.**

**FURTHER REASONS FOR  
ORDER AND ORDER:** Hughes J.

**DATED:** November 24, 2009

**APPEARANCES:**

N/A FOR THE APPLICANT

N/A FOR THE RESPONDENT

**SOLICITORS OF RECORD:**

Heenan Blaikie LLP FOR THE APPLICANT  
Toronto, Ontario

John H. Sims, Q.C. FOR THE RESPONDENT  
Deputy Attorney General of Canada