

Court File No.

IN THE SUPREME COURT OF CANADA

(ON APPEAL FROM THE QUEBEC COURT OF APPEAL)

BETWEEN:

**BIL'IN (VILLAGE COUNCIL), THE LATE AHMED ISSA ABDALLAH YASSIN,
BASEM AHMED ISSA YASSIN, MAYSAA AHMED ISSA YASSIN ,
MAZIN AHMED ISSA YASSIN, LAMYAA AHMED ISSA YASSIN,
NORA AHMED ISSA YASSIN, TAGREED AHMED ISSA YASSIN, MOHAMMED
AHMED ISSA YASSIN, ABDULLAH AHMED ISSA YASSIN,
ESRAA AHMED ISSA YASSIN, YOSRA YOUSEF MOHAMMED YASSIN and
AYESHA ALABED YASSIN DAR YASSIN**

**APPLICANTS
(Appellants)**

-and-

**GREEN PARK INTERNATIONAL INC., GREEN MOUNT INTERNATIONAL INC.
and ANNETTE LAROCHE**

**RESPONDENTS
(Respondents)**

NOTICE OF APPLICATION FOR LEAVE TO APPEAL **(Rule 25(1) of the *Rules of the Supreme Court of Canada*)**

TAKE NOTICE that Bil'in (Village Council) et al hereby apply for leave to appeal to the court, pursuant to Section 40(1) of the *Supreme Court Act* from the judgment of the Québec Court of Appeal (File No. 500 - 09 - 020084 - 091) made August 11, 2010, and for such further or other order that the Court may deem appropriate.

AND FURTHER TAKE NOTICE that this application for leave is made on the following grounds:

1. The Québec Court of Appeal erred in law when it held that the decision of the Québec Superior Court on the issue of *forum non conveniens* amounted to an exercise of discretion to which deference is owed by an appellate court when the

evidence before the lower court was that the Israeli High Court of Justice did not have jurisdiction *simpliciter* over the matters at issue in the action, but even if it did, would find that those issues are not justiciable.

2. The Québec Court of Appeal further erred in law when it dismissed the appeal from the Québec Superior Court on the grounds of *forum non conveniens* when there was no evidence before the court of any other court in the foreign jurisdiction that would have jurisdiction *simpliciter* over the matters at issue in the action.
3. The Québec Court of Appeal further erred in law when it dismissed the appeal from the Québec Superior Court on the grounds of *forum non conveniens* thereby sending the case to a forum in the country alleged to have engaged the services of the very corporations that the Applicants allege have committed, aided, abetted and assisted in the commission of war crimes.
4. Such further another grounds as the applicant may advise in this court permit.

Dated at Toronto Ontario this 6th day of October 2010

SIGNED BY

Applicant

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NOTICE TO THE RESPONDENTS: A respondent may serve and file a memorandum in response to this application for leave to appeal within 30 days after service of the application. If no response is filed within that time, the registrar will submit this application for leave to appeal to the court for consideration pursuant to section 43 of the *Supreme Court Act*.