

COURT OF APPEAL

COUR D'APPEL

OF

DU

NEW BRUNSWICK

NOUVEAU-BRUNSWICK



***List of Cases for the
June 2010 sitting***

***Le rôle pour la session du
mois
de juin 2010***

***Court of Appeal
P.O. Box 6000
Fredericton, NB
E3B 5H1***

***Cour d'appel
C.P. 6000
Fredericton, (N.-B.)
E3B 5H1***

TUESDAY, JUNE 8 / LE MARDI 8 JUIN
10:00 a.m. / 10h

COURTROOM / SALLE #6

(*DRAPEAU, C.J.N.B./J.C.N.-B., BELL AND/ET GREEN, J.J.A.)

8-09-CA

- | | | | |
|----|----------------------------------|---|----------------------------|
| 1. | Allison Carmichael |) | Allison Carmichael, |
| | - and - |) | <i>per se</i> |
| | New Brunswick (Workplace |) | Matthew R. Letson, |
| | Health, Safety and Compensation) |) | <i>for the Respondent</i> |
| | Commission) |) | |

(*ROBERTSON, BELL AND/ET GREEN, J.J.A.)

21-10-CA

- | | | | |
|----|---------------------------------|---|------------------------------------|
| 2. | Certainteed Gypsum Canada Inc.) |) | Richard G. Petrie, |
| | - and - |) | <i>for the Appellant</i> |
| | Workplace Health Safety and |) | Matthew R. Letson, |
| | Compensation Commission and |) | <i>for the Respondent,</i> |
| | Richard Dyer |) | <i>Workplace Health Safety</i> |
| | |) | <i>and Compensation Commission</i> |
| | |) | Richard Dyer, |
| | |) | <i>per se</i> |

COURTROOM / SALLE #8

(DESCHENES, *RICHARD, AND/ET QUIGG, J.J.A.)

116-08-CA

- | | | | |
|----|------------------------------|---|-------------------------------|
| 3. | Philip C. Mix |) | Philip C. Mix, |
| | - and - |) | <i>per se</i> |
| | Law Society of New Brunswick |) | David M. Norman, Q.C., |
| | |) | <i>for the Respondent</i> |

TUESDAY, JUNE 15 / LE MARDI 15 JUIN
9:00 a.m. / 9h

COURTROOM / SALLE #6

(LARLEE, *QUIGG AND/ET GREEN, J.J.A.)

BAR ADMISSION / ADMISSION AU BARREAU

TUESDAY, JUNE 15 / LE MARDI 15 JUIN
10:00 a.m. / 10h

COURTROOM / SALLE #8

(*ROBERTSON, RICHARD AND/ET BELL, J.J.A.)

143/07/CA
4. Roy Murray) **Roy Murray,**
- and -) **per se**
Her Majesty The Queen) **Jeffrey L. Mockler, Q.C.,**
) **for the Respondent**
(on appeal from 2007 NBQB 214 / en appel de 2007 NBBR 214)
(on appeal from 2007 NBQB 306 / en appel de 2007 NBBR 306)

62/06/CA
5. Roy Murray) **Roy Murray,**
- and -) **per se**
Her Majesty The Queen) **Jeffrey L. Mockler, Q.C.,**
) **for the Respondent**

WEDNESDAY, JUNE 16 / LE MERCREDI 16 JUIN
10:00 a.m. / 10h

COURTROOM / SALLE #6

(*ROBERTSON, RICHARD AND/ET GREEN, J.J.A.)

132-09-CA
6. Mark Anthony Kunkle) **Brian P. Casey,**
- and -) for the Appellant
Her Majesty The Queen) **Karen Lee Lamrock,**
) for the Respondent

MONDAY, JUNE 28 / LE LUNDI 28 JUIN
10:00 a.m. / 10h

COURTROOM / SALLE #6

(*RICHARD, BELL AND/ET QUIGG, J.J.A.)

160-09-CA
7. Nancy Roy) **Nancy Roy,**
- et -) per se
Sa Majesté la Reine) **Pierre F. Roussel, c.r.,**
) avocat de l'intimée

144-09-CA
8. M.W.M.) **M.W.M.,**
- and -) per se
H.L.M.) **H.L.M.,**
) per se
(on appeal from 2009 NBQB 263 / en appel de 2009 NBBR 263)

TUESDAY, JUNE 29 / LE MARDI 29 JUIN

9:00 a.m. / 9h

COURTROOM / SALLE #6

(*DRAPEAU, C.J.N.B./J.C.N.-B., RICHARD AND/ET BELL, J.J.A.)

112-09-CA

15.	Timothy Clayton Price	)	Randall G. Maillet,
	- and -	)	for the Appellant
	Her Majesty The Queen	)	David Schermbrucker,
		)	for the Respondent

130-09-CA

16.	Christopher Gregory Trites	)	Christopher Gregory Trites,
	- and -	)	per se
	Her Majesty The Queen	)	David Schermbrucker,
		)	for the Respondent

10:00 a.m. / 10h

COURTROOM / SALLE #8

(*ROBERTSON, QUIGG AND/ET GREEN, J.J.A.)

22-10-CA

9.	Yvon LeBlanc	)	Lee McKeigan-Dempsey,
	- and -	)	for the Appellant
	The Bank of Nova Scotia	)	R. Gary Faloon, Q.C.,
		)	for the Respondent

(on appeal from 2010 NBQB 042 / en appel de 2010 NBBR 042)

WEDNESDAY, JUNE 30 / LE MERCREDI 30 JUIN
10:00 a.m. / 10h

COURTROOM / SALLE #8

(*DRAPEAU, C.J.N.B./J.C.N.-B., LARLEE AND/ET QUIGG, J.J.A.)

159-09-CA

10. Eric Ouellette and Midland) **Marie-Claude Bélanger-Richard, Q.C.,**
Transport Ltd., a body corporate) for the Appellants
operating under the business) **Hélène L. Beaulieu, Q.C.,**
name and style of RST Industries) for the Respondent
- and -)
Nathan Tower)
(on appeal from 2009 NBQB 300 / en appel de 2009 NBBR 300)

COURTROOM / SALLE #6

(DESCHÈNES, *ROBERTSON AND/ET RICHARD, J.J.A.)

24-10-CA

11. 835637 Alberta Ltd., Trustee for) **James L. Mockler,**
the Maxine Moore Spousal Trust) for the Appellant
and as General Partner for the) **Matthew M. Tweedie,**
MMCK Realty Partnership) for the Respondent
- and -)
Moonraker Realty Inc.)

MONDAY, JULY 19 / LE LUNDI 19 JUILLET
11:00 a.m. / 11h

COURTROOM / SALLE #6

(*BELL, QUIGG AND/ET GREEN, J.J.A..)

BAR ADMISSION / ADMISSION AU BARREAU

TUESDAY, SEPTEMBER 14 / LE MARDI 14 SEPTEMBRE
10:00 a.m. / 10h

COURTROOM / SALLE #6

(*DRAPEAU, C.J.N.B./J.C.N.-B., ROBERTSON AND/ET GREEN, JJ.A.)

- 18-10-CA**
12. Attorney General of New Brunswick)
- and -)
The Dominion of Canada General Insurance Company)
- William A. Anderson, Q.C.,**
for the Appellant
Richard J. Scott, Q.C.,
for the Respondent

WEDNESDAY, SEPTEMBER 15 / LE MERCREDI 15 SEPTEMBRE
10:00 a.m. / 10h

COURTROOM / SALLE #6

(LARLEE, *RICHARD AND/ET QUIGG, JJ.A.)

- 75-09-CA**
13. Her Majesty The Queen)
- and -)
Shawn Robert Burke)
- Robert A. Murray, Q.C.,**
for the Appellant
Ronald E. Morris, Q.C.,
for the Respondent

THURSDAY, SEPTEMBER 16 / LE JEUDI 16 SEPTEMBRE
10:00 a.m. / 10h

COURTROOM / SALLE #6

(DESCHÊNES, *ROBERTSON AND/ET GREEN, JJ.A.)

- 102-09-CA**
14. Yves Doucet and Peter Dauphinee)
- and -)
Spielo Manufacturing Incorporated and Jon Manship)
- George W. MacDonald, Q.C.**
and **Richard J. Scott, Q.C.,**
for the Appellants
J. Gordon Petrie, Q.C.,
Catherine A. Lahey and
Clarence L. Bennett,
for the Respondents
- (on appeal from 2009 NBQB 196 / en appel de 2009 NBBR 196)
(on appeal from 2010 NBQB 039 / en appel de 2010 NBBR 039)