

COURT OF APPEAL

COUR D'APPEL

OF

DU

NEW BRUNSWICK

NOUVEAU-BRUNSWICK



***List of Cases for the
June 2011 sitting***

***Le rôle pour la session du
mois de juin 2011***

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

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

TUESDAY, JUNE 14 / LE MARDI 14 JUIN
10:00 a.m. / 10h

COURTROOM / SALLE #6

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

99-10-CA

14.	Owen Cameron	)	Owen Cameron,
	- and -	)	per se
	Janice Cameron	)	Rita Godin,
		)	for the Respondent

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

106-10-CA

1.	Weldon Furlotte	)	Weldon Furlotte,
	- and -	)	per se
	Mario Elward	)	Charles A. LeBlond, Q.C.,
		)	for the Respondent

(on appeal from 2010 NBQB 247 / en appel de 2010 NBBR 247)

COURTROOM / SALLE #8

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

16-11-CA

2.	Mark Rogers	)	Richard J. Scott, Q.C.,
	- and -	)	for the Appellant
	Keith Rogers, David Rogers,	)	Catherine A. Fawcett,
	D.M.K. Marine Services Ltd. and	)	for the Respondents
	Rogers Marine Limited)	

(on appeal from 2011 NBQB 036 / en appel de 2011 NBBR 036)

WEDNESDAY, JUNE 15 / LE MERCREDI 15 JUIN
10:00 a.m. / 10h

COURTROOM / SALLE #6

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

3. **102-10-CA**
S.L.) **James J. Matheson,**
- and -) **for the Appellant**
Her Majesty The Queen) **Cameron H. Gunn,**
) **for the Respondent**

2:00 p.m. / 14h

COURTROOM / SALLE #8

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

**No. 4 Notice of Abandonment filed May 19, 2011/
Un avis d'abandon a été émis le 19 mai 2011**

160-10-CA
4. **Kristopher Wentworth**) **Joseph W.J. FitzPatrick,**
- and -) **for the Appellant**
Her Majesty The Queen) **Cameron H. Gunn,**
) **for the Respondent**

THURSDAY, JUNE 16 / LE JEUDI 16 JUIN
9:00 a.m. / 9h

COURTROOM / SALLE #6

BAR ADMISSION / ADMISSION AU BARREAU

FRIDAY, JUNE 17 / LE VENDREDI 17 JUIN
9:00 a.m. / 9h

COURTROOM / SALLE #6

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

7-11-CA

5. Aviva Insurance Company) **Nadia M. MacPhee,**
- and -) for the Appellant
Hubert Thomas) **Brenda J. Lutz, Q.C.,**
) for the Respondent
(on appeal from 2011 NBQB 026 / en appel de 2011 NBBR 026)

49-10-CA

6. Estate of Michael Burke, as) **G. Scott Ellsworth, Q.C. and**
represented by Harold Vernon) **Lee McKeigan-Dempsey,**
Hall, administrator and 1021256) for the Appellants
Ontario Inc.) **Terrence L.S. Teed, Q.C and**
- and -) **Emmy M. Chiasson,**
Royal & Sunalliance Insurance) for the Respondent
Company of Canada)
(on appeal from 2010 NBQB 100 / en appel de 2010 NBBR 100)

MONDAY, JUNE 20 / LE LUNDI 20 JUIN
9:30 a.m. / 9h30

COURTROOM / SALLE #6

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

98-10-CA

7. Aquanor Marketing Inc.) **Richard J. Scott, Q.C.,**
- and -) for the Appellant
Northern Harvest Sea Farms Inc.) **Donald V. Keenan and**
) **Nadia M. MacPhee,**
) for the Respondent
(on appeal from 2010 NBQB 225 / en appel de 2010 NBBR 225)

2:00 p.m. / 14h

COURTROOM / SALLE #6

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

142-10-CA

8. Arthur McLean) **Harold L. Doherty,**
- and -) for the Appellant
City of Miramichi, a municipal) **Richard G. Petrie,**
Corporation, by virtue of the) for the Respondent
Municipalities Act)
(on appeal from 2010 NBQB 322 / en appel de 2010 NBBR 322)

TUESDAY, JUNE 21 / LE MARDI 21 JUIN

10:00 a.m. / 10h

COURTROOM / SALLE #6

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

28-11-CA

9. Carter Brothers Ltd.) **Chantal A. Thibodeau,**
- and -) for the Appellant
The Registrar of Motor Vehicles) **Michael L. Hynes,**
for the Province of New) for the Respondent
Brunswick)
(on appeal from 2010 NBQB 041 / en appel de 2010 NBBR 041)

WEDNESDAY, JUNE 22 / LE MERCREDI 22 JUIN

10:00 a.m. / 10h

COURTROOM / SALLE #6

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

172-10-CA

10. Nancy Elizabeth Rideout) **Patrick E. Hurley, Q.C.,**
- and -) for the Appellant
John Douglas MacDonald) **David A. Estey,**
) for the Respondent

2:00 p.m. / 14h

COURTROOM / SALLE #8

VIDEO CONFERENCE / VIDÉO CONFÉRENCE

**Bathurst Courthouse, 254 St Patrick Street, 2nd Floor, Courtroom "A" /
Palais de Justice – Bathurst, 254 rue St. Patrick, 2^{ième} étage, Salle « A »**

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

25-11-CA

- | | | | |
|-----|---------------------------------|---|--------------------------|
| 11. | Jean Mary Knowles, |) | Martin J. Siscoe, |
| | administratrix of the estate of |) | for the Appellant |
| | the late Carl Alvin Knowles |) | D. Paul Hayes, |
| | - and - |) | for the Respondent, |
| | Trevis Knowles, Tyson Girard, |) | Trevis Knowles |
| | Troy Girard and Tyler Knowles |) | René Arseneault, |
| | |) | for the Respondents, |
| | |) | Troy Girard and |
| | |) | Tyson Girard |
| | |) | Tyler Knowles, |
| | |) | per se |

THURSDAY, JUNE 23 / LE JEUDI 23 JUIN

10:00 a.m. / 10h

COURTROOM / SALLE #6

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

151-10-CA

- | | | | |
|-----|-----------------------|---|------------------------------|
| 12. | Her Majesty The Queen |) | Jessica J. Lavoie, |
| | - and - |) | for the Appellant |
| | Benjamin James Byers |) | Benjamin James Byers, |
| | |) | per se |

173-10-CA

- | | | | |
|-----|-----------------------|---|------------------------------|
| 13. | Her Majesty The Queen |) | Cameron H. Gunn, |
| | - and - |) | for the Appellant |
| | Kevin Mark Sexton |) | George E. Kalinowski, |
| | |) | for the Respondent |

THURSDAY, SEPTEMBER 15 / LE JEUDI 15 SEPTEMBRE
10:00 a.m. / 10h

COURTROOM / SALLE #6

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

112-10-CA

15.	<i>Fernand Robichaud</i>	)	Annie Maltais,
	<i>- et -</i>	)	<i>avocate de l'appelant</i>
	<i>Sa Majesté la Reine</i>	)	Jean-Guy Savoie,
		)	<i>avocat de l'intimée</i>