

**COURT OF APPEAL  
OF  
NEW BRUNSWICK**

**COUR D'APPEL  
DU  
NOUVEAU-BRUNSWICK**



***List of Cases for the  
March 2014 sitting***

***Le rôle pour la session du mois  
de mars 2014***

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

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

**TUESDAY, MARCH 11 / LE MARDI 11 MARS**  
**10:00 a.m. / 10h**

**COURTROOM / SALLE #6**

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

- 64-13-CA**
1. George W. Martin ) **Ronald E. Morris, Q.C.,**  
- and - ) **for the Appellant**  
Her Majesty The Queen ) **Kathryn Gregory,**  
 ) **for the Respondent**

**WEDNESDAY, MARCH 12 / LE MERCREDI 12 MARS**  
**10:00 a.m. / 10h**

**COURTROOM / SALLE #6**

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

**No. 2 Adjourned and set over to May 13, 2014, pursuant to directions of The Honourable Chief Justice Drapeau/La date de l'audience est remise au 13 mai 2014, en vertu de la directive de l'Honorable juge en chef.**

- 129-13-CA**
2. Her Majesty The Queen ) **Claude A. Haché,**  
- and - ) **for the Appellant**  
Jon Thomas Buyting ) **Ronald E. Morris, Q.C.,**  
 ) **for the Respondent**

**THURSDAY, MARCH 13 / LE JEUDI 13 MARS**  
**10:00 a.m. / 10h**

**COURTROOM / SALLE #6**

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

- 3-13-CA**
3. Sarah Elizabeth Brooks ) **Sarah Elizabeth Brooks,**  
- and - ) **per se**  
Colin David Brooks ) **Colin David Brooks,**  
 ) **per se**  
(on appeal from 2012 NBQB 401 / en appel de 2012 NBBR 401)

**TUESDAY, MARCH 18 / LE MARDI 18 MARS**  
**10:00 a.m. / 10h**

**COURTROOM / SALLE #8**

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

- 147-12-CA**
4. Ronald Gautreau and ) **Mélanie McGrath,**  
Gloria Gautreau ) for the Appellant  
- and - ) **André-Guy Savoie,**  
Richard Saulnier and ) for the Respondents  
June Saulnier )

**WEDNESDAY, MARCH 19 / LE MERCREDI 19 MARS**  
**10:00 a.m. / 10h**

**COURTROOM / SALLE #6**

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

**5. Adjourned to a date to be set, pursuant to the directions of The Honourable Chief Justice Drapeau / Remise à une date ultérieure, en vertu de la directive de l'Honorable juge en chef**

- 100-13-CA**
5. Nackawic Mechanical Ltd., ) **Ryan P. Burgoyne,**  
Carrying on business as SDI ) for the Appellant  
Aviation ) **Hugh J. Cameron,**  
- and - ) for the Respondents  
Robert Ward and Brenda Ward )  
(on appeal from 2013 NBQB 296 / en appel de 2013 NBBR 296)

**THURSDAY, MARCH 20 / LE JEUDI 20 MARS**  
**10:00 a.m. / 10h**

**COURTROOM / SALLE #6**

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

**No. 6 Adjourned and set over to March 24, 2014, pursuant to directions of The Honourable Chief Justice Drapeau/La date de l'audience est remise au 24 mars 2014, en vertu de la directive de l'Honorable juge en chef.**

- 71-13-CA**
6. New Brunswick Community ) **Daniel A. Standing,**  
College, Annette Albert, Sandra ) for the Appellants  
Maber, Diane Burt and Lorna ) **Thomas Vihvelin,**  
Munro ) per se  
- and - )  
Thomas Vihvelin )  
(on appeal from 2013 NBQB 227 / en appel de 2013 NBBR 227)

**MONDAY, MARCH 24 / LE LUNDI 24 MARS**  
**2:00 p.m. / 14h**

**COURTROOM / SALLE #6**

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

**6 Adjourned sine die, pursuant to the directions of The Honourable Chief Justice Drapeau / Remise sine die, en vertu de la directive de l'Honorable juge en chef.**

- 71-13-CA**
6. New Brunswick Community ) **Daniel A. Standing,**  
College, Annette Albert, Sandra ) for the Appellants  
Maber, Diane Burt and Lorna ) **Thomas Vihvelin,**  
Munro ) per se  
- and - )  
Thomas Vihvelin )  
(on appeal from 2013 NBQB 227 / en appel de 2013 NBBR 227)

**WEDNESDAY, MARCH 26 / LE MERCREDI 26 MARS**  
**10:00 a.m. / 10h**

**COURTROOM / SALLE #6**

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

**130-13-CA**

- |    |              |   |                                 |
|----|--------------|---|---------------------------------|
| 7. | Roseline Roy | ) | <b>G. Robert Basque</b> , c.r., |
|    | - et -       | ) | avocat de l'appelante           |
|    | Pierre Dion  | ) | <b>Monique Veillette</b> ,      |
|    |              | ) | avocate de l'intimé             |

**2:00 p.m. / 14h**

**COURTROOM / SALLE #6**

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

**2-14-CA**

- |    |  |   |                                      |
|----|--|---|--------------------------------------|
| 8. | La succession de Samuel                                    | ) | <b>Rita Godin</b> ,                  |
|    | LeBouthillier(Personne décédée),)                          | ) | avocate de l'appelante               |
|    | Pamela LeBouthillier                                       | ) | <b>Euclide LeBouthillier</b> , c.r., |
|    | Administratrice de la Succession                           | ) | per se                               |
|    | de Samuel LeBouthillier                                    | ) | <b>Philibert LeBouthillier</b> ,     |
|    | - et -   | ) | per se                               |
|    | Gemma Selosse, Philibert                                   | ) | <b>Euclide LeBouthillier</b> ,       |
|    | LeBouthillier, Euclide                                     | ) | per se                               |
|    | LeBouthillier, Réjean                                      | ) | <b>Réjean LeBouthillier</b> ,        |
|    | LeBouthillier, Denis LeBouthillier,                        | ) | per se                               |
|    | Gaston LeBouthillier, Rufin                                | ) | <b>Denis LeBouthillier</b> ,         |
|    | LeBouthillier, Liette LeBouthillier                        | ) | per se                               |
|    | (on appeal from 2013 NBQB 404 / en appel de 2013 NBBR 404) |   |                                      |

**THURSDAY, MARCH 27 / LE JEUDI 27 MARS**  
**10:00 a.m. / 10h**

**COURTROOM / SALLE #8**

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

**No. 9 Adjourned and set over to May 22, 2014, pursuant to directions of The Honourable Chief Justice Drapeau/La date de l'audience est remise au 22 mai 2014, en vertu de la directive de l'Honorable juge en chef.**

- 138-13-CA**
9.    The Government of Nunavut        )  
      - and -                                )  
      Marie Humphrey-Schram            )  
  )  
  )  
      Lucie LaBoissonnière  
      and Dominique P. Fontaine,  
      for the Appellant  
  )  
  )  
      James F. LeMesurier, Q.C.,  
      for the Respondent  
      (on appeal from 2013 NBQB 384 / en appel de 2013 NBBR 384)

**COURTROOM / SALLE #8**

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

- 73-13-CA**
10.   Garnet Leigh Cole                    )  
      - and -                                )  
      Her Majesty The Queen            )  
  )  
  )  
      Angèle C. Normand,  
      for the Appellant  
  )  
  )  
      Derek J. Weaver,  
      for the Respondent