

**COURT OF APPEAL
OF
NEW BRUNSWICK**

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



***List of Cases for the
March 2015 sitting***

***Le rôle pour la session du mois
de mars 2015***

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

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

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

COURTROOM / SALLE #6

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

No. 1 Adjourned and set over to March 20, 2015, pursuant to directions of The Honourable Chief Justice Drapeau/La date de l'audience est remise au 20 mars 2015, en vertu de la directive de l'Honorable juge en chef.

61-14-CA
1. Thomas Wills)
 - and -)
 Sherry Kennedy)
)
 Thomas Wills,
 per se
 J. Nathalie Thibault Jones,
 for the Respondent

WEDNESDAY, MARCH 11 / LE MERCREDI 11 MARS
10:00 a.m. / 10h

COURTROOM / SALLE #6

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

No. 2 Adjourned and set over to March 25, 2015, pursuant to directions of The Honourable Chief Justice Drapeau/La date de l'audience est remise au 25 mars 2015, en vertu de la directive de l'Honorable juge en chef.

100-14-CA
2. *Registraire des véhicules à*)
 Moteur)
 - et -)
 Robert Gaudet)
)
 Jean-François G. Dupuis,
 avocat de l'appelant
 Robert Gaudet
 per se

2:00 p.m. / 14h

COURTROOM / SALLE #6

(*QUIGG, GREEN AND/ET BAIRD, JJA.)

No. 3 Adjourned and set over to April 23, 2015, pursuant to directions of The Honourable Chief Justice Drapeau/La date de l'audience est remise au 23 avril 2015, en vertu de la directive de l'Honorable juge en chef.

94-14-CA

- | | | | |
|----|-----------------------|---|-----------------------------|
| 3. | Ryan Andrew Crowley |) | Ryan Andrew Crowley, |
| | - and - |) | per se |
| | Her Majesty The Queen |) | Kathryn A. Gregory, |
| | |) | for the Respondent |

THURSDAY, MARCH 12 / LE JEUDI 12 MARS

10:00 a.m. / 10h

COURTROOM / SALLE #6

(*LARLEE AND/ET QUIGG, JJA.)

4-14-CA

- | | | | |
|----|-----------------------------------|---|---------------------------------------|
| 4. | Mary Ellen Rose |) | Mary Ellen Rose, |
| | - and - |) | per se |
| | Her Majesty the Queen in right of |) | Keith P. Mullin, |
| | the Province of New Brunswick, |) | for the Respondents, |
| | (The Province of New Brunswick |) | Her Majesty the Queen in right of |
| | including the Departments of |) | the Province of New Brunswick |
| | Justice, Office of the Attorney |) | (The Province of New Brunswick |
| | General and Finance) Premier |) | including the Departments of Justice, |
| | David Alward, Attorney General |) | Office of the Attorney General and |
| | Marie-Claude Blais, The |) | Finance) Premier David Alward, |
| | Honorable Blaine Higgs, Doug |) | Attorney General Marie-Claude Blais, |
| | Holt, Martha Bowes, |) | The Honorable Blaine Higgs, Doug |
| | - and - |) | Holt, Martha Bowes, Danny Soucy, |
| | Danny Soucy, Minister of Post |) | Minister of Post Secondary Education, |
| | Secondary Education, Training |) | Training and Labour and Kim Daley, |
| | and Labour |) | current Deputy Minister of the |
| | - and - |) | Department of Human Resources |
| | Kim Daley, current Deputy |) | Trisha E.M. Gallant-LeBlanc, |
| | Minister of the Department of |) | for the Respondent, |
| | Human Resources |) | The New Brunswick Human Rights |
| | - and - |) | Commission |
| | The New Brunswick Human |) | R. Gary Faloon, Q.C., |

<i>Rights Commission</i>	)	<i>for the Respondents,</i>
<i>- and -</i>	)	<i>The Honourable Patrick A.A. Ryan, Q.C.</i>
<i>The Honourable Patrick A.A. Ryan, Q.C.</i>	)	<i>and the Conflict of Interest</i>
<i>- and -</i>	)	<i>Commissioner, The</i>
<i>The Conflict of Interest</i>	)	<i>Honorable Landry or</i>
<i>Commissioner, the Honorable</i>	)	<i>such other person who has been</i>
<i>Landry or such other person who</i>	)	<i>recently appointed</i>
<i>has been recently appointed</i>)	

TUESDAY, MARCH 17 / LE MARDI 17 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.)

No. 5 Adjourned and set over to May 26, 2015, pursuant to directions of The Honourable Chief Justice Drapeau/La date de l'audience est remise au 26 mai 2015, en vertu de la directive de l'Honorable juge en chef.

88-14-CA

5.	<i>Mario Charlebois</i>	)	Mario Charlebois,
	<i>- et -</i>	)	<i>per se</i>
	<i>Town of Riverview</i>	)	Benoit G. Arsenault,
	<i>- et -</i>	)	<i>l'avocat de l'intimé</i>
	<i>Procureur Général du Nouveau Brunswick</i>	)	<i>Town of Riverview</i>
		)	André G. Richard, c.r.,
		)	<i>l'avocat del'intervenant</i>

(on appeal from 2014 NBQB 154 / en appel de 2014 NBBR 154)

WEDNESDAY, MARCH 18 / LE MERCREDI 18 MARS
11:00 a.m. / 11h

COURTROOM / SALLE #6

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

87-14-CA

6.	<i>Alan D. Schelew and Irving Schelew, as represented by his executor, Alan D. Schelew</i>	)	James J. Matheson,
	<i>- and -</i>	)	<i>for the Appellant</i>
	<i>Lillian Schelew and Jeffrey Schelew</i>	)	Charles A. LeBlond, Q.C.,
		)	<i>for the Respondent</i>

THURSDAY, MARCH 19 / LE JEUDI 19 MARS
11:00 a.m. / 11h

COURTROOM / SALLE #6

(*LARLEE, DESCHÊNES AND/ET QUIGG, JJA.)

BAR ADMISSION / ADMISSION AU BARREAU

No. 7 Adjourned and set over to the remanet list, pursuant to directions of The Honourable Chief Justice Drapeau / La date de l'audience est remise sans date fixée au remanet de la directive de l'Honorable juge en chef.

- 81-14-CA**
7. The Canadian Association for) **Andy W. Lodge and**
Free Expression) **and Jean-Yves Bernard,**
 - and -) for the Appellant
Fred Gene Streed, Executor of) **John D. Hughes,**
the Estate of Harry Robert) for the Respondent
McCorkill (A.K.A. McCorkill (A.K.) Fred Gene Streed, Executor of the
A. McCorkell), Deceased,) Estate of Harry Robert McCorkill
Isabelle Rose McCorkill, League) (A.K.A. McCorkell) Deceased
for Human Rights of B'Nai Brith) **Marc-Antoine Chiasson,**
Canada, Centre for Israel and) for the Respondent
Jewish Affairs, and the Province) Isabelle Rose McCorkill
of New Brunswick, as) **Mel Schwartz,**
Represented by the Attorney) for the Respondent,
General)) League for Human Rights of B'Nai
) Brith Canada
) **Danys R.X. Delaquis and Lauren A.**
) **Cicin,**
) for the Respondents
) Centre for Israel and Jewish Affairs
) **Richard A. Williams,**
) for the Respondent
) the Province of New Brunswick, as
) Represented by the Attorney General

FRIDAY, MARCH 20 / LE VENDREDI 20 MARS

10:00 a.m. / 10h

COURTROOM / SALLE #6

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

61-14-CA

- | | | | |
|----|----------------|---|------------------------------------|
| 1. | Thomas Wills |) | Thomas Wills, |
| | - and - |) | per se |
| | Sherry Kennedy |) | J. Nathalie Thibault Jones, |
| | |) | for the Respondent |

WEDNESDAY, MARCH 25 / LE MERCREDI 25 MARS

10:00 a.m. / 10h

COURTROOM / SALLE #8

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

90-14-CA

- | | | | |
|----|--------------------------------|---|--------------------------------|
| 8. | Directcash ATM Management |) | Richard J. Scott, Q.C., |
| | Partnership and Directcash ATM |) | for the Appellants |
| | Processing Partnership |) | Basile Chiasson, Q.C., |
| | - and - |) | for the Respondents |
| | Maurice's Gas & Convenience |) | |
| | Inc. and 055655 N.B. Ltd |) | |

2:00 p.m. / 14h

COURTROOM / SALLE #6

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

100-14-CA

- | | | | |
|----|-----------------------------|---|---------------------------------|
| 2. | Registraire des véhicules à |) | Jean-François G. Dupuis, |
| | Moteur |) | avocat de l'appelant |
| | - et - |) | Robert Gaudet |
| | Robert Gaudet |) | per se |

THURSDAY, MARCH 26 / LE JEUDI 26 MARS
10:00 a.m. / 10h

COURTROOM / SALLE #6

(*LARLEE, DESCHÊNES AND/ET RICHARD, JJA.)

- 123-14-CA**
9. *Fédération des producteurs*) **Sacha D. Morisset et**
Acéricoles du Québec) **Mathieu Turcotte,**
- et -) *avocats de l'appelante*
S.K. Export et Étienne St-Pierre) **Marc-Antoine Chiasson,**
) *avocat des intimés*
(on appeal from 2014 NBQB 243 / en appel de 2014 NBBR 243)