

**COURT OF APPEAL**

**OF**

**NEW BRUNSWICK**

**COUR D'APPEL**

**DU**

**NOUVEAU-BRUNSWICK**



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

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

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

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

**TUESDAY, NOVEMBER 10 / LE MARDI 10 NOVEMBRE**  
**10:00 a.m. / 10h**

**COURTROOM / SALLE #6**

**(\*RICHARD, GREEN AND/ET FRENCH, JJA.)**

- 46-15-CA**
1. Mary Budden ) **Wanda M. Severns,**  
- and - ) **for the Appellant**  
Her Majesty The Queen ) **Kathryn A. Gregory,**  
 ) **for the Respondent**
- 3-15-CA**
2. Algo Enterprises Ltd. and NBP ) **Rodney J. Gillis, Q.C.,**  
Enterprises Inc. ) **for the Appellants**  
- and - ) **Melissa Everett Withers,**  
Repap New Brunswick Inc. ) **for the Respondent**  
(on appeal from 2014 NBQB 265 / en appel de 2014 NBBR 265)

**TUESDAY and WEDNESDAY, NOVEMBER 17 and 18 /**  
**LE MARDI et MERCREDI 17 et 18 NOVEMBRE**  
**10:00 a.m. / 10h**

**COURTROOM / SALLE #6**

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

**No. 3 Adjourned and set over to February 25, 2016, pursuant to directions of The Honourable Chief Justice Drapeau/La date de l'audience est remise au 25 février 2016, en vertu de la directive de l'Honorable juge en chef.**

- 17-15-CA**
3. Cyrénus Dugas ) **Charles A. LeBlond, c.r.**  
- et - ) **avocat de l'appelant**  
Peter Gaudet, Adam Gaudet ) **Eugene J. Mockler, c.r.**  
508571 N.B Limited, 100167 ) **avocat de l'intimés**  
PEI INC. )  
(en appel de 2015 NBBR 059 / on appeal from 2015 NBQB 059)

**THURSDAY, NOVEMBER 19 / LE JEUDI 19 NOVEMBRE**  
**10:00 a.m. / 10h**

**COURTROOM / SALLE #6**

**(\*RICHARD, BAIRD AND/ET FRENCH, JJA.)**

- 116-14-CA**
4. Daniel Ray Downey ) **Daniel Ray Downey,**  
- and - ) **per se**  
Her Majesty The Queen ) **Kathryn A. Gregory,**  
 ) **for the Respondent**

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

**COURTROOM / SALLE #6**

**(\*LARLEE, DESCHÊNES AND/ET BAIRD, JJA.)**

- 57-15-CA**
5. Dans l'affaire de l'adoption de ) **Thomas Maillet,**  
C.J.B.C ) **avocat de l'appelante**

**TUESDAY, NOVEMBER 24 / LE MARDI 24 NOVEMBRE**  
**10:00 a.m. / 10h**

**COURTROOM / SALLE #6**

**(\*LARLEE, QUIGG AND/ET GREEN, JJA.)**

- 122-14-CA**
6. Stephen Giberson ) **Stephen Giberson,**  
- and - ) **per se**  
Her Majesty The Queen ) **Kathryn A. Gregory and**  
 ) **Rebekah J. Logan,**  
 ) **for the Respondent**



**THURSDAY, JANUARY 14 / LE JEUDI 14 JANVIER**  
**10:00 a.m. / 10h**

**COURTROOM / SALLE #6**

**(\*LARLEE, RICHARD AND/ET QUIGG, JJA.)**

**121-14-CA**

9. Benoit Bossé et les Immeubles ) **Benoit Bossé,**  
Robo ltée ) per se  
- et - ) **Lucie Richard, c.r.**  
Lucie A. Lavigne ) avocate de l'intimée  
(on appeal from 2014 NBQB 230 / en appel de 2014 NBBR 230)

**TUESDAY, WEDNESDAY AND THURSDAY, JANUARY 19, 20 AND 21 /**  
**LE MARDI, MERCREDI ET JEUDI, 19, 20 ET 21 JANVIER**  
**10:00 a.m. / 10h**

**COURTROOM / SALLE #6**

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

**1-13-CA**

10. Brian Hall and Denis Hall ) **Yassin Choukri, Q.C.,**  
- and - ) for the Appellant  
Marie Bernise Savoie, Estate ) **Richard J. Scott, Q.C.,**  
Trustee of the estate of Michel ) for the Respondent  
Guignard )

**TUESDAY, JANUARY 26 / LE MARDI 26 JANVIER**  
**10:00 a.m. / 10h**

**COURTROOM / SALLE #6**

**(\*RICHARD, GREEN AND/ET BAIRD, JJA.)**

**109-14-CA**

11. Jenn Wambolt ) **Jenn Wambolt,**  
- and - ) per se  
Her Majesty The Queen ) **Cameron H. Gunn, Q.C.,**  
) for the Respondent  
(on appeal from 2014 NBQB 206 / en appel de 2014 NBBR 206)

**THURSDAY, JANUARY 28 / LE JEUDI 28 JANVIER**  
**10:00 a.m. / 10h**

**COURTROOM / SALLE #6**

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

- 38-14-CA**
12. *Madawaska District Planning Commission and The Portage la Prairie Mutual Insurance Company (Third party pursuant to Section 104.1 of the Insurance Act)* ) **Gary J. McLaughlin, Q.C.,**  
for the Appellant,  
*Madawaska District Planning Commission* )  
**William G. Stephenson,**  
for the Appellant,  
*The Portage la Prairie Mutual Insurance Company* )  
**Marie-Pierre Nadeau and**  
**Gilles C. Thibodeau, Q.C.,**  
for the Respondents,  
*Nadeau Poultry Farm Limited and Maple Lodge Farms Ltd.* )  
**Cynthia J. Benson,**  
for the Respondent,  
*Desjardins & Desjardins Consultants Inc.* )  
**Deidre L. Wade, Q.C. and**  
**Courtney A. Palmer,**  
for the Respondents,  
*Village de Saint-François de Madawaska* )