

**COURT OF APPEAL
OF
NEW BRUNSWICK**

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



***List of Cases for the
April 2016 sitting***

***Le rôle pour la session du mois
d'avril 2016***

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

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

TUESDAY, APRIL 12 / LE MARDI 12 AVRIL

9:00 a.m. / 9h

COURTROOM / SALLE #6

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

5-16-CA

- | | | | |
|-----|-----------------------|---|-------------------------------|
| 18. | Her Majesty The Queen |) | William Richards and |
| | - and - |) | Kathryn Gregory, |
| | Michael Paul Reynolds |) | for the Appellant |
| | |) | Maria Henheffer, Q.C., |
| | |) | for the Respondent |

10:00 a.m. / 10h

COURTROOM / SALLE #6

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

No. 1 Adjourned and set over to June 14, 2016, pursuant to directions of The Honourable Chief Justice Drapeau/La date de l'audience est remise au 14 juin 2016, en vertu de la directive de l'Honorable juge en chef.

49-15-CA

- | | | | |
|----|-----------------------|---|----------------------------|
| 1. | D.M.S. |) | Jean-Eugène Trahan, |
| | - and - |) | for the Appellant |
| | Her Majesty The Queen |) | Kathryn A. Gregory, |
| | |) | for the Respondent |

WEDNESDAY, APRIL 20 / LE MERCREDI 20 AVRIL
10:00 a.m. / 10h

COURTROOM / SALLE #6

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

62-15-CA

- | | | | |
|----|--------------------------------------|---|---------------------------------|
| 4. | <i>Estate of Jarvis Hayward</i> |) | David W. McMath, |
| | <i>Estabrooks, Ruth Estabrooks,</i> |) | <i>for the Appellants,</i> |
| | <i>Executrix, and in her own</i> |) | <i>Ruth Estabrooks and</i> |
| | <i>capacity and Roberta Cook</i> |) | <i>Roberta Cook</i> |
| | <i>- and -</i> |) | Richard J. Scott, Q.C., |
| | <i>Sharon Estabrooks Barry, Iris</i> |) | <i>for the Respondents,</i> |
| | <i>Diane Estabrooks, Fern Hazel</i> |) | <i>Sharon Estabrooks Barry,</i> |
| | <i>Brooks and Heather Marlene</i> |) | <i>Iris Diane Estabrooks,</i> |
| | <i>Matthews</i> |) | <i>Fern Hazel Brooks, and</i> |
| | <i>- and -</i> |) | <i>Heather Marlene Matthews</i> |
| | <i>Shirley Ann Macey</i> |) | Shirley Ann Macey, |
| | |) | <i>Per se</i> |

64-15-CA

- | | | | |
|----|--------------------------------------|---|--|
| 5. | <i>Estate of Jarvis Hayward</i> |) | John P. Barry, Q.C. and |
| | <i>Estabrooks, Ruth Estabrooks,</i> |) | John P.F. Morrissy, |
| | <i>Executrix, and in her own</i> |) | <i>for the Appellants,</i> |
| | <i>capacity and Roberta Cook</i> |) | <i>Estate of Jarvis Hayward</i> |
| | <i>- and -</i> |) | <i>Estabrooks, Ruth Estabrooks,</i> |
| | <i>Sharon Estabrooks Barry, Iris</i> |) | <i>in her capacity as Executrix only</i> |
| | <i>Diane Estabrooks, Fern Hazel</i> |) | Richard J. Scott, Q.C., |
| | <i>Brooks and Heather Marlene</i> |) | <i>for the Respondents,</i> |
| | <i>Matthews</i> |) | <i>Sharon Estabrooks Barry,</i> |
| | <i>- and -</i> |) | <i>Iris Diane Estabrooks,</i> |
| | <i>Shirley Ann Macey</i> |) | <i>Fern Hazel Brooks, and</i> |
| | |) | <i>Heather Marlene Matthews</i> |
| | |) | Shirley Ann Macey, |
| | |) | <i>Per se</i> |

THURSDAY, APRIL 21 / LE JEUDI 21 AVRIL
10:00 a.m. / 10h

COURTROOM / SALLE #6

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

- 117-15-CA**
6. Meredith Hashey and Marjorie) **Raj Datt and**
Geraldine (Trainor) Stairs) **Dana Doidge,**
- and -) for the Appellants
CFM Corporation, a body) **Bruce D. Grant,**
corporate, 2089451 Ontario Ltd.,) for the Respondent,
a body corporate, Sunpoke) Sunpoke Energy Systems Ltd.
Energy Systems Ltd., a body) **David Duncan Young and**
corporate and Enbridge Gas) **Shivani Chopra,**
New Brunswick Inc. a body) for the Respondent,
corporate) Enbridge Gas NB

TUESDAY, APRIL 26 / LE MARDI 26 AVRIL
10:00 a.m. / 10h

COURTROOM / SALLE #6

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

- 23-15-CA**
7. Kathleen Murphy) **Charles A. LeBlond, Q.C.,**
- and -) for the Appellant
Rebecca Pearl Humble, by her) **Ryan P. Burgoyne,**
Litigation Guardian,) for the Respondent
James Mockler
(on appeal from 2015 NBQB 058 / en appel de 2015 NBBR 058)

WEDNESDAY, APRIL 27 / LE MERCREDI 27 AVRIL
10:00 a.m. / 10h

COURTROOM / SALLE #6

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

21-15-CA

8. Scholten's Hanwell Ltd.,) **Daniel P.L. Leger,**
- and -) *for the Appellant*
The New Brunswick Liquor) **Keith Mullin,**
Corporation, a Crown Corporation) *for the Respondent,*
established pursuant to the New) *Province of New Brunswick*
Brunswick Liquor Corporation) **Clarence Bennett and**
Act and the Province of New) **Nicholas N. Russon,**
Brunswick as represented by the) *for the Respondent,*
Minister of Finance) *New Brunswick Liquor*
) *Corporation*
(on appeal from 2015 NBQB 043 / en appel de 2015 NBBR 043)