

**COURT OF APPEAL
OF
NEW BRUNSWICK**

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



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

***Le rôle pour la session du mois
de septembre 2016***

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

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

WEDNESDAY, SEPTEMBER 14 / LE MERCREDI 14 SEPTEMBRE
10:00 a.m. 10h

COURTROOM / SALLE #6

(*LARLEE, RICHARD AND/ET FRENCH, JJ.A.)

1. **26-16-CA and 27-16-CA**
- | | | |
|---------------------------------|---|------------------------------------|
| City of Fredericton |) | Amy R. Gough Farnworth, |
| - and - |) | for the Appellant, |
| The Board of Trustees of the |) | City of Fredericton |
| Shared Risk Plan for CUPE and |) | David A. Stamp, |
| Non-Bargaining Employees of the |) | for the Appellant, |
| City of Fredericton |) | The Board of Trustees of the |
| - and - |) | Shared Risk Plan for CUPE and |
| Fredericton Police Association, |) | Non-Bargaining Employees of the |
| Local 911 United Brotherhood of |) | City of Fredericton |
| Carpenters and Joiners of |) | David Mombourquette, |
| America |) | for the Respondent |
| - and - |) | Fredericton Police Association, |
| Fredericton Fire Fighters |) | Local 911 United Brotherhood of |
| Association, International |) | Carpenters and Joiners of America |
| Association of Fire Fighters, |) | Sean McManus, |
| Local 1053 |) | for the Respondent, |
| - and - |) | Fredericton Fire Fighters |
| Superintendent of Pensions |) | Association, International |
| |) | Association of Fire Fighters Local |
| |) | 1053 |
| |) | Brian Maude, |
| |) | for the Respondent, |
| |) | Superintendent of Pensions |

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

COURTROOM / SALLE #6

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

**No. 2 Notice of Abandonment filed September 12, 2016/
Un avis d'abandon a été émis le 12 septembre 2016**

40-15-CA

2.	Bradley Neil Saia	)	Bradley Neil Saia,
	-and-	)	per se
	Her Majesty The Queen	)	Kathryn A. Gregory,
		)	for the Respondent

TUESDAY, SEPTEMBER 20 / LE MARDI 20 SEPTEMBRE
10:00 a.m. / 10h

COURTROOM / SALLE #6

(*LARLEE, GREEN AND/ET BAIRD, JJ.A.)

10-16-CA

3.	Brian Edgett	)	Brian Edgett,
	- and -	)	per se
	Her Majesty The Queen	)	Rebekah Logan,
		)	for the Respondent

WEDNESDAY, SEPTEMBER 21 / LE MERCREDI 21 SEPTEMBRE
10:00 a.m. 10h

COURTROOM / SALLE #6

(*GREEN, BAIRD AND/ET FRENCH, JJ.A.)

113-15-CA

4.	Sylvia Marie Boudreau	)	Martin J. Siscoe,
	- and -	)	for the Appellant
	Walter Arnold Thomson	)	C. Thomas Prince,
		)	for the Respondent

(on appeal from 2016 NBQB 225 / en appel de 2016 NBBR 225)

THURSDAY, SEPTEMBER 22 / LE JEUDI 22 SEPTEMBRE
10:00 a.m. / 10h

COURTROOM / SALLE #6

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

- 11-16-CA**
5. *Duska Ingalls*) **Jacqueline Boucher,**
- and -) *for the Appellant*
Theron Ingalls) **Andrea Anderson-Mason,**
) *for the Respondent*
(on appeal from 2016 NBQB 027 / en appel de 2016 NBBR 027)

TUESDAY, SEPTEMBER 27 / LE MARDI 27 SEPTEMBRE
9:30 a.m. / 9h30

COURTROOM / SALLE #6

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

BAR ADMISSION / ADMISSION AU BARREAU

10:00 a.m. / 10h

COURTROOM / SALLE #6

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

- 28-16-CA**
6. *The Province of New Brunswick,*) **Maya A. Hamou and**
as represented by the) **Isabel R. Lavoie Daigle,**
Department of Social) *for the Appellant*
Development) **Lucie LaBoissonnière,**
- and -) *for the Respondents*
Christopher Wallace and)
Paulette Wallace)

WEDNESDAY, SEPTEMBER 28 / LE MERCREDI 28 SEPTEMBRE
10:00 a.m. 10h

COURTROOM / SALLE #6

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

- 16-16-CA**
7. Corey Robert Miller) **Maragaret Gallagher, Q.C.,**
- and -) for the Appellant
Her Majesty The Queen) **Marc A. Bourgeois,**
) for the Respondent

No. 8 Removed 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.

- 115-15-CA**
8. Her Majesty The Queen) **Kathryn A. Gregory,**
- and -) for the Appellant
Michael Lloyd Peterson) **Margaret Gallagher, Q.C.,**
) for the Respondent

THURSDAY, SEPTEMBER 29 / LE JEUDI 29 SEPTEMBRE
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. 9 Removed 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.

- 92-15-CA**
9. Guy Losier) **Mikael H.H. Bernard,**
- et -) avocat de l'appellant
Sa Majesté la Reine) **Marc A. Bourgeois,**
) avocat de l'intimée
- 39-16-CA**
10. Eastland Industries Limited) **James M. Barry,**
- and -) for the Appellant
Derrick Casey) **D. Andrew Rouse,**
) for the Respondent