

**COURT OF APPEAL
OF
NEW BRUNSWICK**

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



***List of Cases for the
May 2018 sitting***

***Le rôle pour la session du mois
de mai 2018***

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

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

TUESDAY, MAY 8 / LE MARDI 8 MAI
10:00 am. / 10h

LUDLOW HALL
41, PROMENADE DINEEN DRIVE
SALLE/ROOM 2
FREDERICTON, NB

(*RICHARD, C.J.N.B./J.C.N.-B., BAIRD AND/ET FRENCH, J.J.A.)

- 131-17-CA**
1. Lawrence Gavin) **Jason T. Dempsey,**
- and -) for the Appellant
Her Majesty The Queen) **William B. Richards,**
) for the Respondent
- 5-18-CA**
2. Heather Matchett) **Heather Matchett,**
- and -) per se
Her Majesty The Queen) **William B. Richards,**
) for the Respondent
- 6-18-CA**
3. Heather Matchett) **Heather Matchett,**
- and -) per se
Her Majesty The Queen) **William B. Richards,**
) for the Respondent
- 7-18-CA**
4. Heather Matchett) **Heather Matchett,**
- and -) per se
Her Majesty The Queen) **William B. Richards,**
) for the Respondent

**WEDNESDAY, MAY 9 / LE MERCREDI 9 MAI
10:00 a.m. / 10h**

**LUDLOW HALL
41, PROMENADE DINEEN DRIVE
SALLE/ROOM 2
FREDERICTON, NB**

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

42-17-CA, 43-17-CA, 44-17-CA

- | | | | |
|----|---------------------------------------|---|-------------------------------|
| 5. | <i>Royal Bank of Canada</i> |) | Joshua J. Santimaw and |
| | <i>- and -</i> |) | Geoffrey J. Franklin, |
| | <i>Donald Leroy Sears, Jill Robin</i> |) | <i>for the Appellant</i> |
| | <i>Sears, Amos Arsenault and</i> |) | Donald Leroy Sears, |
| | <i>Jane Ann MacMillan</i> |) | <i>per se</i> |
| | |) | Jill Robin Sears, |
| | |) | <i>per se</i> |
| | |) | Amos Arsenault, |
| | |) | <i>per se</i> |
| | |) | Jane Ann MacMillan, |
| | |) | <i>per se</i> |

(on appeal from 2017 NBQB 055 / en appel de 2017 NBBR 055)

115-17-CA

- | | | | |
|----|----------------------------------|---|------------------------------------|
| 6. | <i>Phillip Holland</i> |) | George A. McAllister, Q.C., |
| | <i>- and -</i> |) | <i>for the Appellant</i> |
| | <i>The Toronto-Dominion Bank</i> |) | Richard J. Scott, Q.C., |
| | |) | <i>for the Respondent</i> |

TUESDAY, MAY 15 / MARDI 15 MAI
10:00 a.m. / 10h

COURTROOM / SALLE #6

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

No. 7 Removed and set over to June 13, 2018, pursuant to directions of The Honourable Chief Justice Drapeau/La date de l'audience est remise au 13 juin 2018, en vertu de la directive de l'Honorable juge en chef.

127-17-CA

7. Joseph R. Goyetche, Yvon) **Jamie MacGillivray,**
Fournier, Roland Bouchee,) **for the Appellants**
Roland Morrison, Roger Martel,) **Daniel Leger,**
Roger Young, Bryan Harris,) **for the Respondents**
David J. Thibodeau, Malcom)
Russle, Daniel Gallagher,)
Robert Chamberlain, Roger Roy,)
Gary Christie, Nancy Thomas,)
Kenny Ivey, John Fritters, and)
John Duffy)
- and -)
International Union of Operating)
Engineers (IUOE),)
Communications, Energy and)
Paperworkers Union of Canada)
(CEP), International Association)
of Machinists and Aerospace)
Workers (IAMAW))
(on appeal from 2017 NBQB 194 / en appel de 2017 NBBR 194)

WEDNESDAY, MAY 16 / LE MERCREDI 16 MAI
10:00 a.m. / 10h

COURTROOM / SALLE #6

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

8. **9-18-CA**
Anthony Robichaud) **George A. McAllister, Q.C.,**
- and -) **for the Appellant**
Worksafe NB) **Matthew R. Letson,**
) **for the Respondent**

TUESDAY, MAY 22 / LE MARDI 22 MAI
10:00 a.m. / 10h

COURTROOM / SALLE #6

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

- 125-17-CA**
9. *Richard Briggs*) **Derek Vihvelin,**
- and -) *for the Appellant*
Desjardins Seed Farms Ltd.) **Rodney J. Gillis, Q.C.,**
) *for the Respondent*
(*on appeal from 2017 NBQB 197 / en appel de 2017 NBBR 197*)

TUESDAY, MAY 29 / LE MARDI 29 MAI
10:00 a.m. / 10h

COURTROOM / SALLE #6

(*RICHARD, C.J.N.B./J.C.N.-B, GREEN AND/ET FRENCH, JJ.A.)

- 95-17-CA**
10. *Jamie Seymour Melanson*) **Margaret Gallagher, Q.C.,**
- and -) *for the Appellant*
Her Majesty The Queen) **Kathryn A. Gregory, Q.C.,**
) *for the Respondent*

2:00 p.m. / 14h

COURTROOM / SALLE #6

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

- 50-17-CA**
11. *John Philip Trecartin*) **Margaret Gallagher, Q.C.,**
- and -) *for the Appellant*
Her Majesty The Queen) **Kathryn A. Gregory, Q.C.,**
) *for the Respondent*

WEDNESDAY, MAY 30 / LE MERCREDI 30 MAI
10:00 a.m. / 10h

COURTROOM / SALLE #6

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

No. 12 Removed and set over to the remanet list, pursuant to directions of The Honourable Chief Justice Richard / La date de l'audience est remise sans date fixée au remanet de la directive de l'Honorable juge en chef Richard.

128-17-CA
12. Michael Troy Pelletier) **Michael Troy Pelletier,**
- and -) **per se**
Her Majesty The Queen) **William B. Richards,**
) **for the Respondent**

MONDAY, JUNE 11 / LUNDI 11 JUIN
1:00 p.m. / 13h

COURTROOM / SALLE #6

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

18. **MOTION FOR BAR ADMISSION /**
MOTION POUR ADMISSION AU BARREAU

2:00 p.m. / 14h

COURTROOM / SALLE #6

(RICHARD, C.J.N.B./J.C.N.B., GREEN AND/ET BAIRD, JJ.A.)

18. **MOTION FOR BAR ADMISSION /**
MOTION POUR ADMISSION AU BARREAU

3:00 p.m. / 15h

COURTROOM / SALLE #6

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

19. **MOTION FOR BAR ADMISSION /
MOTION POUR ADMISSION AU BARREAU**

4:00 p.m. / 16h

COURTROOM / SALLE #6

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

20. **MOTION FOR BAR ADMISSION /
MOTION POUR ADMISSION AU BARREAU**