

**COURT OF APPEAL  
OF  
NEW BRUNSWICK**

**List of Motions for the  
January 2021 sitting  
(2021-01-26)**



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

**Le rôle des motions  
pour la session du mois de janvier 2021  
(2020-01-26)**

| Date/Time/<br>Room/Language<br>Date/Heure/Salle<br>/Langue |           |         |   | Judge<br>Juge   | Matter<br>Affaire   | Type of motion<br>Genre de motion         | Lawyers<br>Avocats  | Clerk<br>Greffier     |
|--|-----------|---------|---|---|---|---|---|-----------------------|
| Date   | 🕒         | R/<br>S | L |   |   |   |   |                       |
| 2021-01-07   | 10:00/10h | 8       | E | Baird, J.A./j.c.a.<br>Telephone<br>Conference /<br>téléconférence | 96-20-CA<br><br>Appellant: Gulf Operators Ltd.<br><br>Respondents: Acciona Agua Canada Inc.,<br>Acciona Infrastructure Canada Inc., Port City<br>Water Partners, a general partnership of<br>Brookfield (PCWP) Inc., NAC (PCWP) Inc. and<br>Acciona Agua International Inc. and The City<br>of Saint John | Stay/suspension de<br>l'instance          | D. Geoffrey Machum, Q.C.<br><br>Thomas G. O'Neil, Q.C.<br>Matthew T. Hayes<br><br>Orlando Limeros | Withdrawn/<br>retirée |
| 2021-01-11   | 2:00/14h  | 8       | E | Quigg, J.A./j.c.a.<br>Telephone<br>Conference /<br>téléconférence | 85-20-CA<br><br>Intended Appellant: Craig Rushton<br><br>Intended Respondent: Estate of Ian T.<br>MacKay  | Leave to Appeal /<br>autorisation d'appel | George A. McAllister, Q.C.<br><br>Steven Barnett  |                       |
| 2021-01-11   | 3:00/15h  | 8       | E | Quigg, J.A./j.c.a.<br>Telephone<br>Conference /<br>téléconférence | 89-20-CA<br><br>Intended Appellant: Shelly Maston<br><br>Intended Respondent: Callie Tracy  | Leave to Appeal /<br>autorisation d'appel | George A. McAllister, Q.C.<br><br>Brian Perry   |                       |

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| 2021-01-14 | 10:00/10h | 8 | E | Richard,<br>C.J.N.B./J.C.N.-B.<br>Telephone<br>Conference /<br>téléconférence          | 45-20-CA<br><br>Appellant: Susan Lynn Vondette<br><br>Respondent: David Alexander Dunbar                         | Status Hearing /<br>audience sur l'état de<br>l'instance                                     | Susan Lynn Vondette<br>Per se/en personne<br><br>Kimberly A. McCurdy            | Justin Szmadyła |
| 2021-01-14 | 11:00/11h | 8 | F | Richard,<br>C.J.N.B./J.C.N.-B.<br>Telephone<br>Conference /<br>téléconférence          | 134-19-CA<br><br>Appelante: Anne Roy<br><br>Intimé: Stéphane Richard   | Status Hearing /<br>audience sur l'état de<br>l'instance                                     | Rita Godin<br><br>Jean-Marc Benoit  |                 |
| 2021-01-19 | 2:00/14h  | 8 | E | French.J.A./j.c.a.<br>Telephone<br>Conference /<br>téléconférence                      | 25-20-CA<br><br>Appellant: D.O.<br><br>Respondent: C.J.  | Extension of time to<br>perfect /<br>prolongation du délai<br>pour mettre l'appel<br>en état | D.O.<br>Per se/en personne<br><br>C.J.<br>Per se/en personne                    | Crystal Critch  |
| 2021-01-25 | 11:00/11h | 8 | E | Quigg, J.A./j.c.a.<br>Telephone<br>Conference /<br>téléconférence                      | 100-20-CA<br>Intended Appellant: Tonia Blakely<br><br>Intended Respondent: Robert Gander                         | Leave to Appeal /<br>autorisation d'appel  | Jennifer L. Hanson<br><br>Ferne M. Ashford                                      |                 |
| 2021-02-04 | 10:00/10h | 8 | E | Quigg, J.A./j.c.a.<br>Telephone<br>Conference /<br>téléconférence                      | 84-20-CA<br><br>Appellant: William J. McNichol<br><br>Respondent: Co-Operators General Insurance<br>Company      | Extension of time to<br>perfect /<br>prolongation du délai<br>pour mettre l'appel<br>en état | William J. McNichol<br>Per se/en personne<br><br>Robert M. Purdy, Q.C.          | Justin Szmadyła |
| 2021-02-08 | 11:00/11h | 8 | E | LeBlond, J.A./j.c.a.<br>Telephone<br>Conference /<br>téléconférence                    | 79-19-CA<br><br>Appellant: James Abrams<br><br>Respondent: RTO Asset Management, a body<br>corporate             | Stay/suspension de<br>l'instance   | Jessica Bunguay<br><br>Daniel P. Leger  |                 |
| 2021-02-16 | 10:00/10h | 8 | E | LeBlond, J.A./j.c.a.<br>Videoconference<br>and in person /<br>vidéoconférence et<br>en | 70-20-CA<br><br>Appellant : Vaughn Barnett<br><br>Respondent : Law Society of New Brunswick,<br>a body corporate | Extension of time to<br>perfect /<br>prolongation du délai<br>pour mettre l'appel<br>en état | Vaughn Barnett<br>Per se/en personne<br><br>Timothy R. Bell<br>G. Robert Basqqe | Justin Szmadyła |

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| 2021-02-16 | 10:00/10h | 8 | E | LeBlond, J.A./j.c.a.<br>Videoconference<br>and in person /<br>vidéoconférence et<br>en | 70-20-CA<br><br>Appellant : Vaughn Barnett<br><br>Respondent : Law Society of New Brunswick,<br>a body corporate   | To dismiss the<br>appeal/ motion en<br>rejet de l'appel  | Vaughn Barnett<br>Per se/en personne<br><br>Timothy R. Bell<br>G. Robert Basqqe   | Justin Szmadyła                                   |
| 2021-03-22 | 10:00/10h | 8 | E | French.J.A./j.c.a.<br>Telephone<br>Conference /<br>téléconférence                      | 57-20-CA<br><br>Appellant : J.J.S.<br><br>Respondent : E.M.S.  | Status Hearing /<br>audience sur l'état de<br>l'instance | Michael R. Young<br><br>Grant Ogilvie, Q.C.   |   |
| 2021-03-22 | 11:00/11h | 8 | F | LeBlond, J.A./j.c.a.<br><br>Telephone<br>Conference /<br>téléconférence                | 125-19-CA<br><br>Appelante: Marie-France Fournier, à titre de<br>tutrice d'instance de Léona Fournier<br><br>Intimée: Succession de Ghislain Fournier  | Status Hearing /<br>audience sur l'état de<br>l'instance | Terence R. Connelly<br><br>Tina R. Lagacé-Rivard  |   |
| 2021-03-29 | 2:00/14h  | 8 | E | French.J.A./j.c.a.<br>Telephone<br>Conference /<br>téléconférence                      | 76-20-CA<br><br>Appellant :Donald Thomas<br><br>Respondent : The Province of New Brunswick   | Status Hearing /<br>audience sur l'état de<br>l'instance | Donald Thomas<br>Per se/en personne<br><br>Richard A. Williams  | Justin Szmadyła                                   |
| REMANET    | 10:00/10h | 8 | E | Baird,J.A./j.c.a.<br>Telephone<br>Conference /<br>téléconférence                       | 83-20-CA<br><br>Appellant: HB Construction Company Ltd.<br>(formerly Comstock Canada Ltd.)<br><br>Respondent : Potash Corporation of<br>Saskatchewan Inc. and Wood Group Limited<br>(formerly AMEC Americas Limited<br><br>and between:<br><br>Appellant: HB Construction Company Ltd<br>(formerly Comstock Canada Ltd.)<br><br>Respondent: Potash Corporation of<br>Saskatchewan Inc. | Security of Costs /<br>sûreté en garantie<br>des dépens  | Peter T. Zed, Q.C.<br>Laura Boyd<br><br>Frederick C. McElman, Q.C.<br>Clarence Bennett<br>Connor O'Neil<br><br>Robert M. Creamer, Q.C.<br>Matthew Letson<br>Howard M. Wise<br>Mark Dunn | Adjourned siné<br>die/ajournée<br>sans date fixée |

