

COURT FILE NUMBER: CA 51 17

IN THE COURT OF APPEAL OF NEW BRUNSWICK

B E T W E E N:

CG GROUP LTD.,

Appellant/Defendant

- and -

**JOSEPH MARC GIROUARD and
MARIE GERMAINE GIROUARD**

Respondents/Plaintiffs

CONSENT ORDER

WHEREAS the Appellant, CG Group Ltd., obtained leave to appeal the decision of the Court of Queen's Bench dated May 1, 2017 and the Order of the Court of Queen's Bench dated May 3, 2017;

AND WHEREAS the Intended Intervening Parties, the Law Society of New Brunswick, Service New Brunswick and the Province of New Brunswick (as represented by the Registrar General of Land Titles), filed Motions pursuant to Rule 15.02 of the *Rules of Court* seeking to intervene as an added party to the appeal;

AND WHEREAS the Intended Intervening Parties filed Affidavits in support of these Motions setting out the facts in support of their request to be added as parties;

AND WHEREAS the Appellant, CG Group Ltd., and the Respondents, Joseph Marc Girouard and Marie Germaine Girouard have indicated that they have no objection to the Intended Intervening Parties being added as parties to the appeal;

AND WHEREAS the Court of Appeal of New Brunswick is satisfied that the Intended Intervening Parties meet the requirements of Rule 15.02 and may be added as parties to the appeal;

IT IS HEREBY ORDERED THAT:

1. Pursuant to Rule 15.02 of the *Rules of Court*, leave is granted to the Law Society of New Brunswick, Service New Brunswick and the Province of New Brunswick (as represented by the Registrar General of Land Titles) to intervene as added parties to the appeal of the decision of the Court of Queen's Bench dated May 1, 2017, and the Order of the Court of Queen's Bench dated May 3, 2017;
2. The style and cause of Court of Appeal File Number CA 51-17 shall be amended to add the Law Society of New Brunswick, Service New Brunswick and the Province of New Brunswick (as represented by the Registrar of Land Titles) as Intervening Parties;
3. The Law Society of New Brunswick, Service New Brunswick and the Province of New Brunswick (as represented by the Registrar General of Land Titles) shall file written submissions similar in form and substance to the Respondent's Submissions set out in Rule 62.19 within 30 days of receiving the executed Consent Order;
4. The Law Society of New Brunswick, Service New Brunswick and the Province of New Brunswick (as represented by the Registrar General of Land Titles) shall comply with the requirements of parties as set out in Rule 62 with such changes as are necessary;
5. The panel charged with hearing and disposing of the merits of the appeal in this matter may allow the Law Society of New Brunswick, Service New Brunswick and the Province of New Brunswick (as represented by the Registrar General of Land Titles) to present oral arguments at the hearing of the appeal;

6. There shall be no order for costs on the Motion for leave to intervene brought by the Law Society of New Brunswick, Service New Brunswick and the Province of New Brunswick (as represented by the Registrar General of Land Titles).

DATED at Fredericton, New Brunswick this 24th day of October, 2017.