



SUPREME COURT OF CANADA

CITATION: *Armstrong v. Ward*, 2021 SCC 1

APPEAL HEARD: January 18, 2021

JUDGMENT RENDERED: January 18, 2021

DOCKET: 39049

BETWEEN:

Karen Armstrong
Appellant

and

Colin Ward
Respondent

- and -

Healthcare Insurance Reciprocal of Canada and Ontario Trial Lawyers Association
Interveners

CORAM: Wagner C.J. and Abella, Moldaver, Karakatsanis, Côté, Brown and Rowe JJ.

UNANIMOUS

JUDGMENT READ Wagner C.J.

BY:

(paras. 1 to 2)

COUNSEL:

Ryan Breedon and *Jan Marin*, for the appellant.

Mark Veneziano and *Jaan Lilles*, for the respondent.

Anna Marrison, for the intervener the Healthcare Insurance Reciprocal of Canada.

Barbara Legate, for the intervener the Ontario Trial Lawyers Association.

NOTE: This document is subject to editorial revision before its reproduction in final form in the *Canada Supreme Court Reports*.

No. 39049

January 20, 2021

Le 20 janvier 2021

Coram: Wagner C.J. and Abella, Moldaver,
Karakatsanis, Côté, Brown and Rowe JJ.

Coram : Le juge en chef Wagner et les juges
Abella, Moldaver, Karakatsanis, Côté,
Brown et Rowe

BETWEEN:

ENTRE :

Karen Armstrong

Karen Armstrong

Appellant

Appelante

- and -

- et -

Colin Ward

Colin Ward

Respondent

Intimé

- and -

- et -

**Healthcare Insurance Reciprocal of
Canada and Ontario Trial Lawyers
Association**

**Healthcare Insurance Reciprocal of
Canada et Ontario Trial Lawyers
Association**

Intervenors

Intervenantes

JUDGMENT

JUGEMENT

The appeal from the judgment of the Court of Appeal for Ontario, Number C65404, 2019 ONCA 963, dated December 6, 2019, was heard on January 18, 2021, and the Court on that day delivered the following judgment orally:

L'appel interjeté contre l'arrêt de la Cour d'appel de l'Ontario, numéro C65404, 2019 ONCA 963, daté du 6 décembre 2019, a été entendu le 18 janvier 2021 et la Cour a prononcé oralement le même jour le jugement suivant :

THE CHIEF JUSTICE — The appeal is allowed for the reasons of Justice van Rensburg, with costs throughout.

[TRADUCTION]

LE JUGE EN CHEF — L'appel est accueilli pour les motifs exposés par la juge van Rensburg, avec dépens devant toutes les cours.

The judgment of the Court of Appeal is set aside and the trial judgment is restored.

L'arrêt de la Cour d'appel est annulé et le jugement de première instance est rétabli.

C.J.C.
J.C.C.