

No. 39802

January 20, 2022

Le 20 janvier 2022

BETWEEN:

Bradley Dorman

Applicant

- and -

Economical Mutual Insurance Company,
Her Majesty the Queen in Right of
Ontario, Philip Howell and Brian Mills

Respondents

AND BETWEEN:

Jeanette Mieyette

Applicant

- and -

Allstate Insurance Company of Canada,
Her Majesty the Queen in Right of
Ontario, Philip Howell and Brian Mills

Respondents

AND BETWEEN:

ENTRE :

Bradley Dorman

Demandeur

- et -

Economical, Compagnie Mutuelle
d'Assurance, Sa Majesté la Reine du chef
de l'Ontario, Philip Howell et Brian Mills

Intimés

ET ENTRE :

Jeanette Mieyette

Demanderesse

- et -

Allstate du Canada, compagnie
d'Assurance, Sa Majesté la Reine du chef
de l'Ontario, Philip Howell et Brian Mills

Intimés

ET ENTRE :

Shelli-Lynn Black

Applicant

- and -

Belair Insurance Company Inc. carrying
on business as Belair Direct, Her Majesty
the Queen in Right of Ontario, Philip
Howell and Brian Mills

Respondents

AND BETWEEN:

Catherine Brooks

Applicant

- and -

Intact Financial Corporation c.o.b. Intact
Insurance, Her Majesty the Queen in Right
of Ontario, Philip Howell and Brian Mills

Respondents

AND BETWEEN:

William Elliott

Applicant

- and -

Aviva Insurance Company of Canada, Her
Majesty the Queen in Right of Ontario,
Philip Howell and Brian Mills

Respondents

AND BETWEEN:

Shelli-Lynn Black

Demanderesse

- et -

Belair Insurance Company Inc. faisant
affaire sous le nom de Belair Direct, Sa
Majesté la Reine du chef de l'Ontario,
Philip Howell et Brian Mills

Intimés

ET ENTRE :

Catherine Brooks

Demanderesse

- et -

Intact Financial Corporation c.o.b. Intact
Insurance, Sa Majesté la Reine du chef de
l'Ontario, Philip Howell et Brian Mills

Intimés

ET ENTRE :

William Elliott

Demandeur

- et -

Aviva Insurance Company of Canada, Sa
Majesté la Reine du chef de l'Ontario,
Philip Howell et Brian Mills

Intimés

ET ENTRE :

Jill Nicholson

Applicant

- and -

Unifund Assurance Company, Her
Majesty the Queen in Right of Ontario,
Philip Howell and Brian Mills

Respondents

AND BETWEEN:

Fernanda Sampaio

Applicant

- and -

Certas Home and Automobile Insurance
Company, Her Majesty the Queen in Right
of Ontario, Philip Howell and Brian Mills

Respondents

AND BETWEEN:

David Macleod

Applicant

- and -

Commonwealth Mutual Insurance Group,
Her Majesty the Queen in Right of
Ontario, Philip Howell and Brian Mills

Respondents

AND BETWEEN:

Jill Nicholson

Demanderesse

- et -

Unifund, compagnie d'Assurance, Sa
Majesté la Reine du chef de l'Ontario,
Philip Howell et Brian Mills

Intimés

ET ENTRE :

Fernanda Sampaio

Demanderesse

- et -

Certas, compagnie d'assurances auto et
habitation, Sa Majesté la Reine du chef de
l'Ontario, Philip Howell et Brian Mills

Intimés

ET ENTRE :

David Macleod

Demandeur

- et -

Commonwealth Mutual Insurance Group,
Sa Majesté la Reine du chef de l'Ontario,
Philip Howell et Brian Mills

Intimés

ET ENTRE :

Madeleine Bonhomme

Applicant

- and -

Co-operators General Insurance Company,
Her Majesty the Queen in Right of
Ontario, Philip Howell and Brian Mills

Respondents

AND BETWEEN:

John Ross Robertson

Applicant

- and -

Echelon General Insurance Company, Her
Majesty the Queen in Right of Ontario,
Philip Howell and Brian Mills

Respondents

AND BETWEEN:

Mark Ciccirelli

Applicant

- and -

Wawanesa Mutual Insurance Company,
Her Majesty the Queen in Right of
Ontario, Philip Howell and Brian Mills

Respondents

AND BETWEEN:

Madeleine Bonhomme

Demanderesse

- et -

Compagnie d'assurance générale Co-
operators, Sa Majesté la Reine du chef de
l'Ontario, Philip Howell et Brian Mills

Intimés

ET ENTRE :

John Ross Robertson

Demandeur

- et -

Échelon Assurance, Sa Majesté la Reine du
chef de l'Ontario, Philip Howell et
Brian Mills

Intimés

ET ENTRE :

Mark Ciccirelli

Demandeur

- et -

Compagnie mutuelle d'assurance
Wawanesa, Sa Majesté la Reine du chef de
l'Ontario, Philip Howell et Brian Mills

Intimés

ET ENTRE :

Kristopher Baron

Applicant

- and -

St. Paul Fire and Marine Insurance
Company, Travelers Insurance Company
of Canada, Her Majesty the Queen in
Right of Ontario, Philip Howell and Brian
Mills

Respondents

AND BETWEEN:

Gary Gibbons

Applicant

- and -

TD Insurance, Her Majesty the Queen in
Right of Ontario, Philip Howell and Brian
Mills

Respondents

AND BETWEEN:

Brian Nagle

Applicant

- and -

Gore Mutual Insurance Company, Her
Majesty the Queen in Right of Ontario,
Philip Howell and Brian Mills

Respondents

AND BETWEEN:

Kristopher Baron

Demandeur

- et -

Compagnie d'assurance Saint-Paul,
Compagnie d'assurance Travelers du
Canada, Sa Majesté la Reine du chef de
l'Ontario, Philip Howell et Brian Mills

Intimés

ET ENTRE :

Gary Gibbons

Demandeur

- et -

TD Assurance, Sa Majesté la Reine du chef
de l'Ontario, Philip Howell et Brian Mills

Intimés

ET ENTRE :

Brian Nagle

Demandeur

- et -

Gore Mutual Insurance Company, Sa
Majesté la Reine du chef de l'Ontario,
Philip Howell et Brian Mills

Intimés

ET ENTRE :

David Sura

Applicant

- and -

CUMIS General Insurance Company, Her Majesty the Queen in Right of Ontario, Philip Howell and Brian Mills

Respondents

JUDGMENT

The motion for an extension of time to serve and file a response, filed by Her Majesty the Queen in Right of Ontario, Philip Howell and Brian Mills, is granted. The application for leave to appeal from the judgment of the Court of Appeal for Ontario, Number C68566, 2021 ONCA 314, dated May 13, 2021, is dismissed with costs to the respondents, Economical Mutual Insurance Company, Allstate Insurance Company of Canada, Aviva Insurance Company of Canada, Unifund Assurance Company, Certas Home and Automobile Insurance Company, Commonwealth Mutual Insurance Group, Co-operators General Insurance Company, Echelon General Insurance Company, Wawanesa Mutual Insurance Company, St. Paul Fire and Marine Insurance Company, Travelers Insurance Company of Canada, TD Insurance, Gore Mutual Insurance Company, CUMIS General Insurance Company, Her Majesty the Queen in Right of Ontario, Philip Howell and Brian Mills.

Rowe J. took no part in the judgment.

David Sura

Demandeur

- et -

CUMIS General Insurance Company, Sa Majesté la Reine du chef de l'Ontario, Philip Howell et Brian Mills

Intimés

JUGEMENT

La requête en prorogation du délai de signification et de dépôt d'une réponse, déposée par Sa Majesté la Reine du chef de l'Ontario, Philip Howell et Brian Mills, est accueillie. La demande d'autorisation d'appel de l'arrêt de la Cour d'appel de l'Ontario, numéro C68566, 2021 ONCA 314, daté du 13 mai 2021, est rejetée avec dépens en faveur des intimés, Economical, Compagnie Mutuelle d'Assurance, Allstate du Canada, compagnie d'Assurance, Aviva Insurance Company of Canada, Unifund, compagnie d'Assurance, Certas, compagnie d'assurances auto et habitation, Commonwealth Mutual Insurance Group, Compagnie d'assurance générale Co-operators, Echelon Assurance, Compagnie mutuelle d'assurance Wawanesa, Compagnie d'assurance Saint-Paul, Compagnie d'assurance Travelers du Canada, TD Assurance, Gore Mutual Insurance Company, CUMIS General Insurance Company, Sa Majesté la Reine du chef de l'Ontario, Philip Howell et Brian Mills.

Le juge Rowe n'a pas participé au jugement.

J.S.C.C.
J.C.S.C.