No. 35341

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| October 3, 2013 |  | Le 3 octobre 2013 |
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| Coram: Fish, Rothstein and Moldaver JJ. |  | Coram : Les juges Fish, Rothstein et Moldaver |
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| BETWEEN:  Onex Corporation, Gerald W. Schwartz, Christopher A. Govan, Mark Hilson  and Nigel Wright  Applicants  - and -  American Home Assurance Company, Brit Syndicates Ltd. (Lloyd’s Syndicate 2987), Heritage Managing Agency Limited (Lloyd’s Syndicate 3245), XL Insurance Company Limited, Liberty Mutual Insurance Company, Lloyd’s Underwriters Syndicates No. 2623, 0623, 0033, AIG Europe (UK) Limited and Houston Casualty Company  Respondents |  | ENTRE :  Onex Corporation, Gerald W. Schwartz, Christopher A. Govan, Mark Hilson  et Nigel Wright  Demandeurs  - et -  American Home Assurance Company, Brit Syndicates Ltd. (Lloyd’s Syndicate 2987), Heritage Managing Agency Limited (Lloyd’s Syndicate 3245), XL Insurance Company Limited, Liberty Mutual Insurance Company, Lloyd’s Underwriters Syndicates No. 2623, 0623, 0033, AIG Europe (UK) Limited et Houston Casualty Company    Intimés |
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| JUDGMENT  The application for leave to appeal from the judgment of the Court of Appeal for Ontario, Numbers C54076, C54123 and C55034, 2013 ONCA 117, dated February 25, 2013, is dismissed with costs to American Home Assurance Company, Brit Syndicates Ltd. (Lloyd’s Syndicate 2987), Heritage Managing Agency Limited (Lloyd’s Syndicate 3245) and XL Insurance Company Limited. |  | JUGEMENT  La demande d’autorisation d’appel de l’arrêt de la Cour d’appel de l’Ontario, numéros C54076, C54123 et C55034, 2013 ONCA 117, daté du 25 février 2013, est rejetée avec dépens en faveur d’American Home Assurance Company, Brit Syndicates Ltd. (Lloyd’s Syndicate 2987), Heritage Managing Agency Limited (Lloyd’s Syndicate 3245) et XL Insurance Company Limited. |

J.S.C.C.

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