

No. 35492

November 21, 2013

Le 21 novembre 2013

Coram: LeBel, Karakatsanis and  
Wagner JJ.

Coram : Les juges LeBel, Karakatsanis et  
Wagner

**BETWEEN:**

**ENTRE :**

White Burgess Langille Inman, carrying on  
business as WBLI Chartered Accountants  
and R. Brian Burgess

White Burgess Langille Inman, carrying on  
business as WBLI Chartered Accountants et  
R. Brian Burgess

Applicants

Demandeurs

- and -

- et -

Abbott and Haliburton Company Limited,  
A.W. Allen & Son Limited, Berwick  
Building Supplies Limited, Bishop's Falls  
Building Supplies Limited, Arthur  
Boudreau & Fils Ltée, Brennan Contractors  
& Supplies Ltd., F. J. Brideau & Fils  
Limitée, Cabot Building Supplies Company  
(1988) Limited, Robert Churchill Building  
Supplies Limited, CDL Holdings Limited,  
formerly Chester Dawe Limited, Fraser  
Supplies (1980) Ltd., R. D. Gillis Building  
Supplies Limited, Yvon Godin Ltd., Truro  
Wood Industries Limited/Home Care  
Properties Limited, Hann's Hardware and

Abbott and Haliburton Company Limited,  
A.W. Allen & Son Limited, Berwick  
Building Supplies Limited, Bishop's Falls  
Building Supplies Limited, Arthur Boudreau  
& Fils Ltée, Brennan Contractors & Supplies  
Ltd., F. J. Brideau & Fils Limitée, Cabot  
Building Supplies Company (1988) Limited,  
Robert Churchill Building Supplies Limited,  
CDL Holdings Limited, formerly Chester  
Dawe Limited, Fraser Supplies (1980) Ltd.,  
R. D. Gillis Building Supplies Limited, Yvon  
Godin Ltd., Truro Wood Industries  
Limited/Home Care Properties Limited,  
Hann's Hardware and Sporting Goods

Sporting Goods Limited, Harbour Breton Building Supplies Limited, Hillier's Trades Limited, Hubcraft Building Supplies Limited, Lumbermart Limited, Maple Leaf Farm Supplies Limited, S.W. Mifflin Ltd., Nauss Brothers Limited, O'Leary Farmers' Co-operative Ass'n. Ltd., Pellerin Building Supplies Inc., Pleasant Supplies Incorporated, J. I. Pritchett & Sons Limited, Centre Multi-Décor De Richibucto Ltée, U. J. Robichaud & Sons Woodworkers Limited, Quincaillerie Saint-Louis Ltée, R & J Swinamer's Supplies Limited, 508686 N.B. INC. operating as T.N.T. Insulation and Building Supplies, Taylor Lumber and Building Supplies Limited, Two by Four Lumber Sales Ltd., Walbourne Enterprises Ltd., Western Bay Hardware Limited, White's Construction Limited, D. J. Williams and Sons Limited and Woodland Building Supplies Limited

Respondents

#### JUDGMENT

The application for leave to appeal from the judgment of the Nova Scotia Court of Appeal, Number CA 397520, 2013 NSCA 66, dated May 24, 2013, is granted with costs in the cause.

Limited, Harbour Breton Building Supplies Limited, Hillier's Trades Limited, Hubcraft Building Supplies Limited, Lumbermart Limited, Maple Leaf Farm Supplies Limited, S.W. Mifflin Ltd., Nauss Brothers Limited, O'Leary Farmers' Co-operative Ass'n. Ltd., Pellerin Building Supplies Inc., Pleasant Supplies Incorporated, J. I. Pritchett & Sons Limited, Centre Multi-Décor De Richibucto Ltée, U. J. Robichaud & Sons Woodworkers Limited, Quincaillerie Saint-Louis Ltée, R & J Swinamer's Supplies Limited, 508686 N.B. INC. operating as T.N.T. Insulation and Building Supplies, Taylor Lumber and Building Supplies Limited, Two by Four Lumber Sales Ltd., Walbourne Enterprises Ltd., Western Bay Hardware Limited, White's Construction Limited, D. J. Williams and Sons Limited et Woodland Building Supplies Limited

Intimées

#### JUGEMENT

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel de la Nouvelle-Écosse, numéro CA 397520, 2013 NSCA 66, daté du 24 mai 2013, est accueillie avec dépens selon l'issue de la cause.

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