

No. 35438

January 9, 2014

Le 9 janvier 2014

Coram: LeBel, Karakatsanis and
Wagner JJ.

Coram : Les juges LeBel, Karakatsanis et
Wagner

BETWEEN:

Elliot C. Wightman, René M. Aubry,
John D. Ball, Jean Beaudry,
Marcel Bertrand, Georges F. Fournier,
Gilles Gagnon, Ian Gergovich, Pierre Gill,
André A. Giroux, Michael J. Hayes,
Iain D. Hume, Sebastien Iannitello,
Denis Langelier, Bernard Lauzon,
Michael F. Macey, Zygmunt Marcinski,
Jean-Guy Martin, Pierre Seccareccia,
Bernard R. Smith, Jacques St-Amour,
Norah K. Taylor, Michael Whitworth,
Michel Bédard, François Bernier,
William G.K. Boden, Denis Girard,
Jacquelin Léger, Jean Pelletier,
Christian Rousseau, Marc Sheedy,
Lionel Vézina, Robert M. Bosshard, Sean
R. Casey, R. Ian Cowan, Robert G. Glenny,
Gino A. Scapillati, David E. Graham,
Bryan D. Stewart, Terrance G. Wichman,
Spencer H. Clark, Robert B. Lemon,

ENTRE :

Elliot C. Wightman, René M. Aubry,
John D. Ball, Jean Beaudry, Marcel Bertrand,
Georges F. Fournier, Gilles Gagnon,
Ian Gergovich, Pierre Gill, André A. Giroux,
Michael J. Hayes, Iain D. Hume,
Sebastien Iannitello, Denis Langelier,
Bernard Lauzon, Michael F. Macey,
Zygmunt Marcinski, Jean-Guy Martin,
Pierre Seccareccia, Bernard R. Smith,
Jacques St-Amour, Norah K. Taylor,
Michael Whitworth, Michel Bédard,
François Bernier, William G.K. Boden,
Denis Girard, Jacquelin Léger, Jean Pelletier,
Christian Rousseau, Marc Sheedy,
Lionel Vézina, Robert M. Bosshard,
Sean R. Casey, R. Ian Cowan,
Robert G. Glenny, Gino A. Scapillati,
David E. Graham, Bryan D. Stewart,
Terrance G. Wichman, Spencer H. Clark,
Robert B. Lemon, Allan A. McDermid,

Allan A. McDermid, Ian D. McIntosh,
John M. Savel, A. Joel Adelstein,
Trevor J. Ambridge, David H. Atkins,
Sharon Bacal, Ronald B. Blainey,
Hugh J. Bolton, J. Douglas Bradley, Estate
of Donald A. Brown, Harold A. Burke,
Richard S. Buski, Tony P. Cancelliere,
Dennis H. Cartwright, Paul G. Cherry,
Christie J.B. Clark, Grahame J. Cliff,
James S. Coatsworth, Geoffrey A. Cooke,
William J. Cotnam, Paul W. Currie,
Richard C. Curtis, Kevin J. Dancey,
Alexander M. Davidson, Alan G. Driver,
J. Peter Eccleton, H. Glenn Fagan,
Brian C. Foley, David Forster,
Stephen H. Freedhoff, A. Rik Ganderton,
Anthony F. Gibbons, Paul B. Glover,
J. Bryan Graham, Gary J. Hassard,
Brent D. Hubbard, Robert M.C. Holmes,
Brenda J. Humpreys, Robert H. Johnson,
Robert E. Lamoureux, Peter K. Lane,
Dean R. Levitt, Robert E. Lowe,
C. Andrew McAskile, Jill H. McAlpine,
Israel H. Mida, Paul J. Murphy,
Robert J. Muter, Barry J. Myers,
Gabriel Nachman, Bernard J. Nisker,
Richard C. Petit, W. David Power,
Richard Rohde, James S. Saloman,
Charles L. Seguin, Alan Smith, in his
quality of Executor and Trustee of the
Estate of the Late Christine E. Sinclair,
David W. Smith, Robert J. Spindler,
A. Dean Summerville,
Michael A. Tambosso, Michael R. van
Every, Derek W. Williams, Laurence H.
Wragg, Alan Freed, Ronald G. Jackson,
John J. Lisowski, Allan D. Lumsden,
J. David Schijns, Richard A. Vickers,
Anthony J. Paniccia, Paul J. Charko,
Loris Macor, Raymond A. Cadieux,
Andre G. Couture, David J. Drybrough,

Ian D. McIntosh, John M. Savel,
A. Joel Adelstein, Trevor J. Ambridge,
David H. Atkins, Sharon Bacal,
Ronald B. Blainey, Hugh J. Bolton,
J. Douglas Bradley, Succession de Donald A.
Brown, Harold A. Burke, Richard S. Buski,
Tony P. Cancelliere, Dennis H. Cartwright,
Paul G. Cherry, Christie J.B. Clark,
Grahame J. Cliff, James S. Coatsworth,
Geoffrey A. Cooke, William J. Cotnam,
Paul W. Currie, Richard C. Curtis,
Kevin J. Dancey, Alexander M. Davidson,
Alan G. Driver, J. Peter Eccleton,
H. Glenn Fagan, Brian C. Foley,
David Forster, Stephen H. Freedhoff,
A. Rik Ganderton, Anthony F. Gibbons,
Paul B. Glover, J. Bryan Graham, Gary J.
Hassard, Brent D. Hubbard, Robert M.C.
Holmes, Brenda J. Humpreys, Robert H.
Johnson, Robert E. Lamoureux, Peter K.
Lane, Dean R. Levitt, Robert E. Lowe,
C. Andrew McAskile, Jill H. McAlpine,
Israel H. Mida, Paul J. Murphy, Robert J.
Muter, Barry J. Myers, Gabriel Nachman,
Bernard J. Nisker, Richard C. Petit, W. David
Power, Richard Rohde, James S. Saloman,
Charles L. Seguin, Alan Smith, en sa qualité
d'exécuteur et de fiduciaire de la succession
de feu Christine E. Sinclair, David W.
Smith, Robert J. Spindler, A. Dean
Summerville, Michael A. Tambosso,
Michael R. van Every, Derek W. Williams,
Laurence H. Wragg, Alan Freed, Ronald G.
Jackson, John J. Lisowski, Allan D.
Lumsden, J. David Schijns, Richard A.
Vickers, Anthony J. Paniccia, Paul J. Charko,
Loris Macor, Raymond A. Cadieux,
Andre G. Couture, David J. Drybrough,
Frederick M. Florence, James R. Holland,
Serena H. Kraayeveld, David Loewen,
Gerald F. Pyle, Gerald H. Rodrigue, Carol L.

Frederick M. Florence, James R. Holland,
Serena H. Kraayeveld, David Loewen,
Gerald F. Pyle, Gerald H. Rodrigue,
Carol L. Stockwell, Paul D. Wright,
Franklin M. Baldry, Monte F. Gorchinski,
Gerald P. Scherman, Justin Fryer, Ronald P.
Gratton, C. Roy Krake, John E. Lawrence,
Gerald A.M. Luijkx, Roderick W. Maclean,
Dale S. Meister, Estate of William E.
Patterson, Brian K. Pawluck, A.W. Keith
Anderson, Daniel J. Block, William D.
Burch, Barry L. James, Donald A.
MacLean, John A. MacNutt, Melvin J.
Majeau, Alan D. Martin, Frederick M.
Partington, Joseph F. Preston, Kenneth D.
Rawson, N. David St. Peter, John M.
Tweedle, Eric S.Z. Andrew, Rodney C.
Bergen, Lenard F. Boggio, John H. Bowles,
David P. Bowra, Craig G. Bushell, W. John
Dawson, Darryl R. Eddy, Rodney B.
Johnston, John C. Kay, Patricia J. Lajoie,
John E. Larsen, Ledford G. Lilley,
Martin A. Linsley, John D. Peters, Pirooz
Pourdad, Gary D. Powdroznik, C. Douglas
Proctor, Peter J. Speer, Elaine S. Sibson,
Gary R. Stafford, Marcus A. Wide, J. Hap
Wright, Lawrence R. Cosman, Hugh R.
Tidby, R. Dale Urquhart, Peter Wilshaw,
Ms. L.G. Wittrien in her quality of Executor
and Trustee of the Estate of the Late Glenn
L. Wittrien, G. Colin Baird, Charles M.
Follet, James A. Kirby, Ronald J. Walsh,
David G. Arsenault, C. Mary H. Best,
Brian W. Cameron, Irwin W. Ellis,
Ralph H. Green, J. Walter MacKinnon,
John M. Mulligan, Michael L. O'Brien and
Coopers & Lybrand-Chartered Accountants

Applicants/Respondents on cross-appeal

- and -

Stockwell, Paul D. Wright, Franklin
M. Baldry, Monte F. Gorchinski,
Gerald P. Scherman, Justin Fryer,
Ronald P. Gratton, C. Roy Krake,
John E. Lawrence, Gerald A.M. Luijkx,
Roderick W. Maclean, Dale S. Meister,
Succession de William E. Patterson,
Brian K. Pawluck, A.W. Keith Anderson,
Daniel J. Block, William D. Burch,
Barry L. James, Donald A. MacLean,
John A. MacNutt, Melvin J. Majeau,
Alan D. Martin, Frederick M. Partington,
Joseph F. Preston, Kenneth D. Rawson,
N. David St. Peter, John M. Tweedle,
Eric S.Z. Andrew, Rodney C. Bergen,
Lenard F. Boggio, John H. Bowles,
David P. Bowra, Craig G. Bushell,
W. John Dawson, Darryl R. Eddy,
Rodney B. Johnston, John C. Kay,
Patricia J. Lajoie, John E. Larsen,
Ledford G. Lilley, Martin A. Linsley,
John D. Peters, Pirooz Pourdad,
Gary D. Powdroznik, C. Douglas Proctor,
Peter J. Speer, Elaine S. Sibson,
Gary R. Stafford, Marcus A. Wide,
J. Hap Wright, Lawrence R. Cosman,
Hugh R. Tidby, R. Dale Urquhart,
Peter Wilshaw, Mme L.G. Wittrien en sa
qualité d'exécutrice et de fiduciaire de la
succession de feu Glenn L. Wittrien,
G. Colin Baird, Charles M. Follet,
James A. Kirby, Ronald J. Walsh,
David G. Arsenault, C. Mary H. Best,
Brian W. Cameron, Irwin W. Ellis,
Ralph H. Green, J. Walter MacKinnon,
John M. Mulligan, Michael L. O'Brien et
Coopers & Lybrand-Chartered Accountants

Demandeurs/Intimés à l'appel incident

- et -

Estate of Peter N. Widdrington

Succession de Peter N. Widdrington

Respondent/Applicant on cross-appeal

Intimée/Requérante à l'appel incident

JUDGMENT

JUGEMENT

The application for leave to appeal from the judgment of the Court of Appeal of Quebec (Montréal), Number 500-09-021691-118, 2013 QCCA 1187, dated July 8, 2013, is dismissed with costs.

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel du Québec (Montréal), numéro 500-09-021691-118, 2013 QCCA 1187, daté du 8 juillet 2013, est rejetée avec dépens.

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