No. 35919

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| October 30, 2014 |  | Le 30 octobre 2014 |
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| Coram: McLachlin C.J. and Cromwell and Wagner JJ. |  | Coram : La juge en chef McLachlin et les juges Cromwell et Wagner |
|  |  |  |
| BETWEEN:0802913 BC Ltd., 1197495 Alberta Ltd. 1266816 Alberta Ltd., 1272423 Alberta Ltd., 1300782 Alberta Ltd., 750774 Alberta Ltd., Allan Abela, Estelita Abela, Gemma Abela, Achieve Investments Inc., Alvin Joseph Acob, Ty Jackson Acob, Jennifer Adamson, Celso Adriano, Leonila C. Adriano, Advantage Lifestyles Inc., Agricomm Construction Inc., Ken Ahlstrom, Emel F. Akkurt, Murvet Akkurt, John D. Alexander, lnci Ali, Nermin Ali, Karim Allibhai, Norma Almazan, Mercedita S. Alvarez, Fariba Amani, Mary Anderson, Matti Anttila, Charina Aquino Burnett, Aurora Aquino, Andre Aquino, Rodrigo Aquino, Colin James Argyle, Jillian Arshadi, Aspire to Inspire Inc., Alizza Kayla Atun, Jose Rey Atun, Leyvi Atun, Gene Austin, Trinette Austin, Ermine Ayhun, Aziz Aziz, Sendal Aziz, Eniz Aziz, Azzuri Investments Inc., Kenneth E. Bailey, Daniel Baldassarre, Daniella Baldassarre, Ron Baldry, Salud Balilo, Catherine Barcelona, Daniel Barnscher, Shawna Barnscher, Peter Batty, BC0727060 NTS Systems Inc., Charles Beach, Gaibis Bedrosyan, Loida Beerens, Merlin Beerens, Gale Belansky, Matilda Belansky, Bellavista Enterprise LLC, Elizabeth Bellemare, Lori-Dee Bellemare, Steve Benezra, Francene Benoit, Wesley Wayne Bergamann, Jeff Best, Gurmit Bhinder, Catalina Bilones, Ofelia Bilones, Melchor-Dater Bitoon, Jarrell R. Bitun, Karen Bjerland, Karen Blackmun, Susan Elizabeth Blakey, Blue Rio Developments Inc., Rebecca Bojczuk, Michael W. Borders, Darren Boser, Sue Boser, Paschalis Bountoulousis, Barry L. Boyle, Dwight Bratz, Leif-Erik Bredesen, Kristina Bredlow, Russell Bredlow, Samara Bredlow, Briscoe Sales & Service ltd., Simon Brochu, Phyllis Broome, Brenda Brown, Darrell Brown, Gordon D. Brown, Jonathan Brown, Justin Brown, Regan Brown, Maureen Brownlee, Michael James Brunton, Lisa Buchanan, Garrett Buckley, Patti Burley, Jamie Burley, Josephine Calica, Roslin Caraos, Glenda Caraos, Joan Carleton-Crockett, Dennis Carmel, Simone Cannel, Michael Carmel, Richard Carmel, Namila Carmel, Evelyn Carrington, Elvia Cavicchla, Luca Ceccato, Alain Chabot, Lorene Benoit, Aidan Chan-Henry, Chandra Chatoor, Charles Chatoor, Shin-Ying Chen, Cheng Cheng, Kelly Chesney, Anthony Chiarella, Toun Chiarella, Chico Holdings Inc., Rajinder Kaur Chima, Shiu Fan Chiu, Daewoon Gabriel Cho, Wing Y. Choy, Salea Christie, Enwei Chu, Fanny Chung, Carol Clarke, Jim Clarke, Iris Co, Erin J. Coady, Natalie Coady, Coast Capital Savings Credit Union, Andrew Cockburn, Charles Conlin, Frances Corcoran, Manalo Cortez, Maria J. Cortez, George Costa, Shelley Crate, Patrick James Grisby, Mike Crockett, Sandy Crockett, CTYS Holding Inc., Neil Cutis, Joe Cutura, Ken Dahl, Supratim Das, Ernesto Gary David, Ernesto L. David, Nestoria T. David, Nicholas Basco, Tamiya Basco, Terence David, Rolando De Paz, William DeGroot, Karen DeGroot, Maria DeJong, Leticia Del Rosario, Remedios DeJa Cruz, Kai Sing Der, Rannylo Deric, Ferolyn Reyes, Thomas F. Desmond, Kazim Dharamshi, Sarbjeet Dhillon, Cornel Dinca, Gabriela Dinca, Greg Doherty, Gayle Thornbury, Rosalia Domingo, Susan Donaldson, Manuel Doza, Virginia Doza, Dream World Holdings Inc., Stephen Drew, Helen Peterson, Karen Durose, David Dyck, Eagle-Eye Creative Marketing, Peter Simak, Adrian Eastwood, Ed DePrato Inc., Helen Edwards, Janet Edwards, John Edwards, Elaine Eisel, Karen Eisenhauer, Therese Eley, William Ellwood, Graeme Emberley, Jeannette R. Emberley, Cynthia A. Eng, John Eng, James Erhardt, Mari Oka Ernst, Elena Escano, Eleo Escano, Josephine Escano, Lilia Espiritu, Estate of Rodney Filtness as represented by his personal representative Julia Filtness, Eduardo Evangelista, Lucia Evangelista, Rod Evangelista, Lucy Evangelista, Tessie Evangelista, Terry Eyjolfson, Kimberlee Faba, Lisa Falcone, Vincenzo Falcone, Yvonne Yi Min Fang, Alan Farey, Rosie Fernandez, Derek Figueira, Financial Sense Strategies, Tracy Fink-Poleschuk, Judyth Flaten, Janice Flormata, Elizabeth Anne Forrest, Michelle Fosberg, Richard Foster, Aubrey Fraser, J. Douglas Friedley, Myrtle A. Friedley, Agnieszka Fushtey, Aeva Tetangco Galang, Jazmine Galang, Joseph Ray Galang, Nia Tetangco Galang, Randall Giordan Galang, Sandi Gale, Belen I. Gardner, George Gear, Trevor Gent, Barbara Glenn, Ed Goeders, William Gonzales, Charita Gonzales, Kirtel Gopaulchand, Joanna Gozdek, Brandon Grant, Michele Leanne Gronlund, David L. Gunning, Vanessa G Gurski, Edward N. Haase, Gordon Haig, Brenda Haig, Colin J. Hallas, Gerard W. Hammond, Tara Hannigan, Pamela H. Harding, Health and Harmoney (partnership), Linda Henderson, Robert Henley, Laverne Henley, Lynda Higgins, Marianne Hildebrand, Keith M. Hill, Gene Himbeault, Kevin Hinton, Hinzie Media Inc., Victor Ho, Tanner S. Holley, Tori M. Holley, Janice Lee Holmes, Lynn Holmes, Bill V. Hooge, Mark W. Hooge, Richard Horner, Elaine Horner, Trevor Hsieh, Linus Yu-Chun Hsu, Lucille Hsu, Harvey Hughes, Joanne Hutchings, Infiniti Point Strategies Inc., Rogee Jakob, Henry J. Janzen, Alfred Jaromamay, Mandeep Jassal, Leonardo Jimenez, Lily Johansen, Karl J. Johansson, Heidi Johnson, Peter Johnson, Sean Johnson, Finley B. Jones, Paul Jones, Reginald Karpow, Elaine Kasha, Bernie Kasha, Kasperk Consulting Solutions SA, Jocelyne Kawesa, Sherifan Kazim, Colleen A. Kearney, Paul C. Kearney, Edward J. Kibby, Andrew H. Kilback, G.A. Kimacovich, Linda M. Klaassen, Ferdinand Klapwijk, Dean Lea Kosmino, Carey Kozushko, Ellen Luk, Gerald Kraayenhof, Janice Kraayenhof, Peter Krahn, John Krzyzewski, John Kuefler, Annette Kukemueller, Bajeet Singh Kundan, Harcharan Singh Kundan, Andy Kurtulus, Mobeen Ladak, Ataul LaHaye, Calvin Lai, Walter Lamers, Sonja Lamoreaux, Lome Lanes, Viola Lanes, Sherman Lanes, Quang Thiet Lao, Erika Larsson, Fred Larsson, Ejnar Laursen, Katie Laursen, Luc Laverdiere, Michelle Laverdiere, Kathleen Lavery, Mary Law, Le Thuy MiLe, Sylvie Leblanc, Anthony Lee, Doris Lee, Jonathan Lee, Judy Lee, Marcus Lee, Peter Lee, Ryan Lee, Suzanne Lee, Yanique Giselle Lee, Leeway Financial Services Inc., Denise LeFrancois, Erik Lemen, Sunmi Lemen, Eric Leonardo, Reima Leonardo, Anthony Ray Leong, Kirby Leong, Joshua Lepin, Ye De Liang, Roger G. Liddle, Martin Lintag, Xiao Dong Liu, Yongji Liu, Loewen Drywall Ltd., Carolyn Long, Oliver Lotz, Gordon Low, Ike Luk, Maricica Lupu, Ioan Lupu, David Ma, Tanis MacDonald, Lovette- MacDonell, Sarah MacDonell, Jason Macedo, Robert Madzej, Margie Maglanque, Maria Jeanette Maglanque, Rita Maglanque, Wendy Majewski, Jeremias Mallare, Jemarie Mallare, Marissa Mallare, Maqorie Mallare, P. Manalo, Concesa Manalo, Jeyabalachandran Manikkavasagar, Douglas Marshall, Jodi Martin, Glen Egan Matthiesen, Janet McAieavey, Greg McCammon, Timothy A. McCoy, Ernest McEachern, Angela McFadyen, Alison M. Mclaren, McSheahan Enterprises Ltd., Emma L. McVie, Michael Mesa, Maria Victoria Mesa, Carmela Mllanes, Benllda Milanes, Kirsten Miller, Shelley Yoskolskie, Mary Mirembe, Shannon Mitchell, Molrai FX Inc., Frank Montemurro, Gideon Q. Morante, Ryan L. Morelli, Therese Morisette, Nutcha Morris, Larry Martel, Michael Moss, Gerard Mougeot, Karina Mougeot, Linda Moyle, Peter Mudron, Tom Mumby, Fernin Mundoc, Taciana Mundoc, Wayne Murphy, Christopher Murray, Juvenal Naing, Victor Naing, Regina Naing, Sangeetha Navaneethasingam, Thuraippah Navaneethasingam, Romulus Nervez, Susan Nervez, Anthony Neumeyer, Arlene Nicanor, George Nicol, Nick Nielsen, Judith Norberg, Irene Noseworthy, Sylvester Obayne, Ceferina Ofreno, Sandra O’Neil, Valerie OngkoWidjojo, Roel Juniai Orasa, Peter O’Toole, J. Audrey Owens, Emre Ozbag, Mustafa Ozbag, Remedios Pacleb, Petra Paialunga, Henry Pandelides, Hinti Pandelides, Manuel Panganiban, Astrides Panganiban, Arthur Parafina, Melanie Parafina, Mazahere Pardhan, Roshan Pardhan, Yeon-Soo Park-Gamboa, Nurinder Singh Parmar, Subhash Parmar, Sunjeet Parmar, Bernice G. Parsons, Lisa Parsons-Holley, Bhupendra Patel, Chandrakant Patel, Divyesh Patel, Jashodaben Patel, Jatin Kumar Patel, Brian Paul, Ellen Paul, Melanie Perry, Kevin Persaud, James Peterson, Virginia Peterson, Keith Phare, Dony Phillips, Eric Phillips, Joanne Phillips, Kevin Phillips, Brenda Piche, Richard Piche, Susan Pike, Sirpa Pirinen, Carol Poirier, Anna Powell, Robert Precioso, Zen Marcus Precioso, Prospero Financial Solutions Ltd., Protek Computer Enviro Solutions Inc., Vincenza Pulla, Michelle Pushka, Corey Nelson, Darlene Radmanovich, Gabrielle Raheem, Mikael Raheem, Mohammad Raheem, Yazmeen Raheem, Reyaz Raheem, Yazmeen Raheem, Bill Railey, Brahmadut Ramkissoon, Barry Randolph, Donna Randolph, Rod Randolph, Joan Randolph, Ahmed Raouf, Nana Raouf, Anupama Reddy, Aubrey Fraser, Lisa Reimer, Murray Reinhart, Pamela Renzi, Robert Rezewski, Linda Rezewski, Harold Richter, Lee David Robson, Petru Roncov, Erlinda Rosales, Roberto Rosales, Abhijit Roy, Linda Ruddy, Zacarias Sabarre, Alicia Sabarre, Daniela Sacilotto, Joan Saldanha, Juliet Salvador, Ronald Salvador, Gurdeep Samra, Kuldip Samra, Hardeep Samra, Daljit Samra, Edgardo Samson, Eufrocinia Samson, Sandi Gale Consultants, Ganesh Sankar, Mylyne Santos, Sameer Saran, Bikrambaljit K. Sasan, Leonard L. Savoy, Ahilya Sawh, Chitra Sawh-Kunar, Gregar Saxby, Michael Sayde, Ferial Sayde, Andrea Scaffo, Marcus Antonio Scelsa, Evelyn Scherr, Tyson Schiesser, Peter H. Scholl, Nelda Schulte, Margaret Schuurman, Jane Schwartz, Jon Scott, Lesley Scott, Pam Seelle, Deren Sentesy, Dragos Serban, Diana M. Serpes, Felix Seta, Mark Seymour, Raman Sharma, Laura M. Sheahan, Bill Sheets, Jeff Sheppard, Larisa Shevchuk, Hyacinth Shreeves, Paul & Sandra Sisson, Marion Sit, Nic Smith, Richard Smith, Richard Sobkowich, Nadine Soukeroff, Alex Soukoreff, Evan Soukoreff, Doreen Spletzer, Ellen Sporre, Jennifer Staudinger, Dorothy Steenwyk, Donna Stefanson, Ronald Stefanson, Ida Stepanowich, Sterling Group Corp., Brian Stevens, Laura Stewart, Steve McKee, Tom Stone, Michael Swartz, Joan Swartz, Edward Tait, Tricia Murphy, executrix and trustee under the last Will and Testament of Edward Tait, Angelo Seiji Takahashi, Shionelle Yumi Takahashi, Charles Tan, Paula C. Taylor, Priscilo Tetangco, Anita Tetangco, Davinder Thiara, Kathiravelu Thivakaramoorthy, Selvanathan Thuraiappah, Jesus Tibayan, Elnora Tibayan, Radu Michael Trache, Maurine Treacy, Sarah Trebble, Chris Tsui, Irene Tsui, Jennifer Tsui, Nicholas Turchymak, Terence David, M. Denise Tutte, Sean H. Tutte, Angelita C. Ugalde, Emerlinda Ugalde, Gloria Valencia, Ernestine Vallee, Lida van Geest, Teresa van Hoesen, Ryan Heath van Spengen, Christof. Wiedner, Emma Wiedner, Gregory van Wijk, Esperanza Vandyke, Veekens Poultry Farm Ltd., Lorna M. Veitch, Ernesto Velasco, John Vieira, View Rite Holdings Ltd., Stefania Vintila, Brian Vreeling, Salina Vreeling, Kanika Wadhwa, Harjinder Wahid, Mina Wahid, Matt Warden, Siegrun B. Wassler, Paul Way, Avril Way, Janna Weatherill, Wetaskiwin Veterinary Hospital Ltd., Ryan Wilkie, Mike Williams, Rosie Williams, Carol Wilson, Carol Wilson, Winona Winsor, Min Yee Liza Wong, Steven Wood, Andrea Worfolk, Qun Xu, Shangkun Xu, Yanling Xu, Neil Irwin, Martin Young, Sue Yu, Andrea Yuan, Glen Zacher, Margaret Zacher, Victor Zalamea, Elsie Zalamea, Guangbi Zhou and Minhong ZhouApplicants- and -John RobertsRespondent |  | ENTRE :0802913 BC Ltd., 1197495 Alberta Ltd. 1266816 Alberta Ltd., 1272423 Alberta Ltd., 1300782 Alberta Ltd., 750774 Alberta Ltd., Allan Abela, Estelita Abela, Gemma Abela, Achieve Investments Inc., Alvin Joseph Acob, Ty Jackson Acob, Jennifer Adamson, Celso Adriano, Leonila C. Adriano, Advantage Lifestyles Inc., Agricomm Construction Inc., Ken Ahlstrom, Emel F. Akkurt, Murvet Akkurt, John D. Alexander, lnci Ali, Nermin Ali, Karim Allibhai, Norma Almazan, Mercedita S. 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Desmond, Kazim Dharamshi, Sarbjeet Dhillon, Cornel Dinca, Gabriela Dinca, Greg Doherty, Gayle Thornbury, Rosalia Domingo, Susan Donaldson, Manuel Doza, Virginia Doza, Dream World Holdings Inc., Stephen Drew, Helen Peterson, Karen Durose, David Dyck, Eagle-Eye Creative Marketing, Peter Simak, Adrian Eastwood, Ed DePrato Inc., Helen Edwards, Janet Edwards, John Edwards, Elaine Eisel, Karen Eisenhauer, Therese Eley, William Ellwood, Graeme Emberley, Jeannette R. Emberley, Cynthia A. Eng, John Eng, James Erhardt, Mari Oka Ernst, Elena Escano, Eleo Escano, Josephine Escano, Lilia Espiritu, Succession de Rodney Filtness, représentée par sa représentante personnelle Julia Filtness, Eduardo Evangelista, Lucia Evangelista, Rod Evangelista, Lucy Evangelista, Tessie Evangelista, Terry Eyjolfson, Kimberlee Faba, Lisa Falcone, Vincenzo Falcone, Yvonne Yi Min Fang, Alan Farey, Rosie Fernandez, Derek Figueira, Financial Sense Strategies, Tracy Fink-Poleschuk, Judyth Flaten, Janice Flormata, Elizabeth Anne Forrest, Michelle Fosberg, Richard Foster, Aubrey Fraser, J. Douglas Friedley, Myrtle A. Friedley, Agnieszka Fushtey, Aeva Tetangco Galang, Jazmine Galang, Joseph Ray Galang, Nia Tetangco Galang, Randall Giordan Galang, Sandi Gale, Belen I. Gardner, George Gear, Trevor Gent, Barbara Glenn, Ed Goeders, William Gonzales, Charita Gonzales, Kirtel Gopaulchand, Joanna Gozdek, Brandon Grant, Michele Leanne Gronlund, David L. Gunning, Vanessa G Gurski, Edward N. 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Liddle, Martin Lintag, Xiao Dong Liu, Yongji Liu, Loewen Drywall Ltd., Carolyn Long, Oliver Lotz, Gordon Low, Ike Luk, Maricica Lupu, Ioan Lupu, David Ma, Tanis MacDonald, Lovette- MacDonell, Sarah MacDonell, Jason Macedo, Robert Madzej, Margie Maglanque, Maria Jeanette Maglanque, Rita Maglanque, Wendy Majewski, Jeremias Mallare, Jemarie Mallare, Marissa Mallare, Maqorie Mallare, P. Manalo, Concesa Manalo, Jeyabalachandran Manikkavasagar, Douglas Marshall, Jodi Martin, Glen Egan Matthiesen, Janet McAieavey, Greg McCammon, Timothy A. McCoy, Ernest McEachern, Angela McFadyen, Alison M. Mclaren, McSheahan Enterprises Ltd., Emma L. McVie, Michael Mesa, Maria Victoria Mesa, Carmela Mllanes, Benllda Milanes, Kirsten Miller, Shelley Yoskolskie, Mary Mirembe, Shannon Mitchell, Molrai FX Inc., Frank Montemurro, Gideon Q. Morante, Ryan L. Morelli, Therese Morisette, Nutcha Morris, Larry Martel, Michael Moss, Gerard Mougeot, Karina Mougeot, Linda Moyle, Peter Mudron, Tom Mumby, Fernin Mundoc, Taciana Mundoc, Wayne Murphy, Christopher Murray, Juvenal Naing, Victor Naing, Regina Naing, Sangeetha Navaneethasingam, Thuraippah Navaneethasingam, Romulus Nervez, Susan Nervez, Anthony Neumeyer, Arlene Nicanor, George Nicol, Nick Nielsen, Judith Norberg, Irene Noseworthy, Sylvester Obayne, Ceferina Ofreno, Sandra O’Neil, Valerie OngkoWidjojo, Roel Juniai Orasa, Peter O’Toole, J. Audrey Owens, Emre Ozbag, Mustafa Ozbag, Remedios Pacleb, Petra Paialunga, Henry Pandelides, Hinti Pandelides, Manuel Panganiban, Astrides Panganiban, Arthur Parafina, Melanie Parafina, Mazahere Pardhan, Roshan Pardhan, Yeon-Soo Park-Gamboa, Nurinder Singh Parmar, Subhash Parmar, Sunjeet Parmar, Bernice G. 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Sasan, Leonard L. Savoy, Ahilya Sawh, Chitra Sawh-Kunar, Gregar Saxby, Michael Sayde, Ferial Sayde, Andrea Scaffo, Marcus Antonio Scelsa, Evelyn Scherr, Tyson Schiesser, Peter H. Scholl, Nelda Schulte, Margaret Schuurman, Jane Schwartz, Jon Scott, Lesley Scott, Pam Seelle, Deren Sentesy, Dragos Serban, Diana M. Serpes, Felix Seta, Mark Seymour, Raman Sharma, Laura M. Sheahan, Bill Sheets, Jeff Sheppard, Larisa Shevchuk, Hyacinth Shreeves, Paul & Sandra Sisson, Marion Sit, Nic Smith, Richard Smith, Richard Sobkowich, Nadine Soukeroff, Alex Soukoreff, Evan Soukoreff, Doreen Spletzer, Ellen Sporre, Jennifer Staudinger, Dorothy Steenwyk, Donna Stefanson, Ronald Stefanson, Ida Stepanowich, Sterling Group Corp., Brian Stevens, Laura Stewart, Steve McKee, Tom Stone, Michael Swartz, Joan Swartz, Edward Tait, Tricia Murphy, exécutrice et fiduciaire dans le cadre du dernier testament d’Edward Tait, Angelo Seiji Takahashi, Shionelle Yumi Takahashi, Charles Tan, Paula C. Taylor, Priscilo Tetangco, Anita Tetangco, Davinder Thiara, Kathiravelu Thivakaramoorthy, Selvanathan Thuraiappah, Jesus Tibayan, Elnora Tibayan, Radu Michael Trache, Maurine Treacy, Sarah Trebble, Chris Tsui, Irene Tsui, Jennifer Tsui, Nicholas Turchymak, Terence David, M. Denise Tutte, Sean H. Tutte, Angelita C. Ugalde, Emerlinda Ugalde, Gloria Valencia, Ernestine Vallee, Lida van Geest, Teresa van Hoesen, Ryan Heath van Spengen, Christof. Wiedner, Emma Wiedner, Gregory van Wijk, Esperanza Vandyke, Veekens Poultry Farm Ltd., Lorna M. Veitch, Ernesto Velasco, John Vieira, View Rite Holdings Ltd., Stefania Vintila, Brian Vreeling, Salina Vreeling, Kanika Wadhwa, Harjinder Wahid, Mina Wahid, Matt Warden, Siegrun B. Wassler, Paul Way, Avril Way, Janna Weatherill, Wetaskiwin Veterinary Hospital Ltd., Ryan Wilkie, Mike Williams, Rosie Williams, Carol Wilson, Carol Wilson, Winona Winsor, Min Yee Liza Wong, Steven Wood, Andrea Worfolk, Qun Xu, Shangkun Xu, Yanling Xu, Neil Irwin, Martin Young, Sue Yu, Andrea Yuan, Glen Zacher, Margaret Zacher, Victor Zalamea, Elsie Zalamea, Guangbi Zhou et Minhong ZhouDemandeurs- et -John RobertsIntimé |
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| JUDGMENTThe motion for leave to intervene of E. Sands & Associates Inc. is dismissed without costs. The application for leave to appeal from the judgment of the Court of Appeal for British Columbia (Vancouver), Number CA041055, 2014 BCCA 122, dated April 2, 2014, is dismissed with costs. |  | JUGEMENTLa requête pour permission d’intervenir dans E. Sands & Associates Inc. est rejetée sans dépens. La demande d’autorisation d’appel de l’arrêt de la Cour d’appel de la Colombie-Britannique (Vancouver), numéro CA041055, 2014 BCCA 122, daté du 2 avril 2014, est rejetée avec dépens.  |

C.J.C.

J.C.C.