

No. 41246

October 10, 2024

Le 10 octobre 2024

**BETWEEN:**

Loblaw Companies Limited, Shoppers  
Drug Mart Inc. and Sanis Health Inc.

Applicants

- and -

Royal & Sun Alliance Insurance Company  
of Canada, AIG Insurance Company of  
Canada, Aviva Insurance Company of  
Canada, Liberty Mutual Insurance  
Company, and Zurich Insurance Company  
Ltd.

Respondents

**AND BETWEEN:**

Chubb Insurance Company of Canada,  
QBE Syndicate 1886 at Lloyd's of  
London and Certain Underwriters at  
Lloyd's as represented by their  
coverholder Markel Canada Limited

Applicants

- and -

**ENTRE :**

Compagnies Loblaw Limitée, Shoppers  
Drug Mart Inc. et Sanis Health Inc.

Demandereses

- et -

Royal & Sun Alliance du Canada, société  
d'assurances, Compagnie d'assurance AIG  
du Canada, Aviva, Compagnie d'Assurance  
du Canada, Compagnie d'Assurance Liberté  
Mutuelle et Liberté Santé, et Zurich  
Compagnie d'assurance SA

Intimées

**ET ENTRE :**

Chubb du Canada Compagnie d'Assurance,  
QBE Syndicate 1886 at Lloyd's of London  
et Certain Underwriters at Lloyd's as  
represented by their coverholder Markel  
Canada Limited

Demandeurs

- et -

Loblaw Companies Limited, Shoppers  
Drug Mart Inc. and Sanis Health Inc.

Compagnies Loblaw Limitée, Shoppers  
Drug Mart Inc. et Sanis Health Inc.

Respondents

Intimées

JUDGMENT

JUGEMENT

The application for leave to appeal, filed by Loblaw Companies Limited, Shoppers Drug Mart Inc. and Sanis Health Inc., from the judgment of the Court of Appeal for Ontario, Numbers C70335, C70336, C70337, C70347, C70350, C70342, C70358, C70366 and C70378, 2024 ONCA 145, dated February 27, 2024, is dismissed with costs to Royal & Sun Alliance Insurance Company of Canada, AIG Insurance Company of Canada and Aviva Insurance Company of Canada. The application for leave to appeal, filed by Chubb Insurance Company of Canada, QBE Syndicate 1886 at Lloyd's of London, and Certain Underwriters at Lloyd's as represented by their coverholder, Markel Canada Limited, from the judgment of the Court of Appeal for Ontario, Numbers C70335, C70336, C70337, C70350, 2024 ONCA 145, dated February 27, 2024, is dismissed with costs.

La demande d'autorisation d'appel, déposée par les Compagnies Loblaw Limitée, Shoppers Drug Mart Inc. et Sanis Health Inc., de l'arrêt de la Cour d'appel de l'Ontario, numéros C70335, C70336, C70337, C70342, C70347, C70350, C70358, C70366 et C70378, 2024 ONCA 145, daté du 27 février 2024, est rejetée avec dépens en faveur de la Royal & Sun Alliance du Canada, société d'assurances, de la compagnie d'assurance AIG du Canada et d'Aviva, compagnie d'assurance du Canada. La demande d'autorisation d'appel, déposée par Chubb du Canada Compagnie d'Assurance, QBE Syndicate 1886 at Lloyd's of London et Certain Underwriters at Lloyd's as represented by their coverholder, Markel Canada Limited, de l'arrêt de la Cour d'appel de l'Ontario, numéros C70335, C70336, C70337, C70350, 2024 ONCA 145, daté du 27 février 2024, est rejetée avec dépens.

C.J.C.  
J.C.C.