

No. 31142

February 16, 2006

Coram: Bastarache, LeBel and Deschamps
JJ.

BETWEEN:

Woodcliffe Corporation, Woodcliffe
Development Corporation, Paul Oberman,
Woodlawn Equities Limited, Queen
Richmond Equities Limited, Equifund York
Developments Limited, Equifund York
Properties Limited, Equifund York 125
Limited, Equifund York Leaseholds
Limited, Equifund York Equities Limited,
Equifund Investment Corporation and
Equifund Corporation

Applicants

- and -

Barry Rotenberg, Harris, Sheaffer, Mutual
Trust Company, MCAP Financial
Corporation, Thornville Developments Inc.,
Malter Holdings Limited, Somersworth
Development Corporation, Herbert Green
and River Oaks Developments Inc.

Respondents

Le 16 février 2006

Coram : Les juges Bastarache, LeBel et
Deschamps

ENTRE :

Woodcliffe Corporation, Woodcliffe
Development Corporation, Paul Oberman,
Woodlawn Equities Limited, Queen
Richmond Equities Limited, Equifund York
Developments Limited, Equifund York
Properties Limited, Equifund York 125
Limited, Equifund York Leaseholds
Limited, Equifund York Equities Limited,
Equifund Investment Corporation et
Equifund Corporation

Demandeurs

- et -

Barry Rotenberg, Harris, Sheaffer, Mutual
Trust Company, MCAP Financial
Corporation, Thornville Developments Inc.,
Malter Holdings Limited, Somersworth
Development Corporation, Herbert Green et
River Oaks Developments Inc.

Intimés

JUDGMENT

The application for leave to appeal from the judgment of the Court of Appeal for Ontario, Number C42652, dated July 6, 2005, is dismissed with party and party costs to the Respondents Barry Rotenberg and Harris, Sheaffer, and costs on a solicitor and his own client scale to the Respondents Mutual Trust company, MCAP Financial Corporation, Malter Holdings Limited, Somersworth Development Corporation, Herbert Green and River Oaks Development Inc.

JUGEMENT

La demande d'autorisation d'appel de l'arrêt de la Cour d'appel de l'Ontario, numéro C42652, daté du 6 juillet 2005, est rejetée avec dépens taxés entre parties en faveur des intimés Barry Rotenberg et Harris, Sheaffer, et avec dépens taxés sur la base procureur-client en faveur des intimés Mutual Trust company, MCAP Financial Corporation, Malter Holdings Limited, Somersworth Development Corporation, Herbert Green et River Oaks Development Inc.

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