

SELMA BOASA AND REX HOLWELL

RESPONDENTS

Docket: 10/91

BETWEEN:

ATTORNEY GENERAL OF CANADA

APPELLANT

AND:

SARA ASIVAK AND JAMES ASIVAK

RESPONDENTS

Docket: 10/92

BETWEEN:

ATTORNEY GENERAL OF CANADA

APPELLANT

AND:

EDGAR LUCY AND DOMINIC
DICKMAN

RESPONDENTS

Coram: Green, C.J.N.L., Barry and Harrington, JJ.A.

Court Appealed From: Supreme Court of Newfoundland and Labrador
Trial Division (G) 2007 01T4955CP;
2008 01T 0845CP; 2008 01T0844CP;
200801T 0846CP; 2007 01T5423CP

Appeal Heard: November 9 and 10, 2010

Judgment Rendered: December 21, 2011

Reasons for Judgment by Barry and Harrington, JJ.A.

Concurred in by: Green, C.J.N.L.

Counsel for the Appellant: Jonathan Tarlton and Mark Freeman

Counsel for the Respondents: Kirk Baert, Celeste Poltak, Stephen Cooper
and Chesley Crosbie, Q.C.

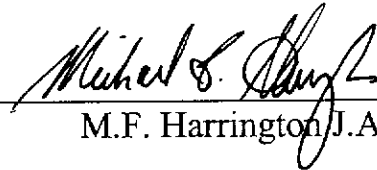
CORRIGENDUM

Barry J.A and Harrington, J.J.A.:

[1] On the title page of this judgment, in case number 10/89, the Respondents' name should read "Sarah Asivak and James Asivak". In case number 10/91, the Respondents' name should read "Edgar Lucy and Dominic Dickman". In case number 10/92, the Respondents' name should read "Toby Obed, William Adams and Martha Blake".



L.D. Barry J.A.



M.F. Harrington J.A.

I Concur:



J.D. Green C.J.N.L.

201001H0089

IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
COURT OF APPEAL

BETWEEN:

THE ATTORNEY GENERAL OF CANADA

APPELLANT

AND:

SARAH ASIVAK and JAMES ASIVAK


RESPONDENTS

AMENDED ORDER

THIS MOTION FOR LEAVE TO APPEAL AND THE APPEAL, of the Order of the Honourable Mr. Justice Fowler dated June 7, 2010 certifying this action as a class action pursuant to the *Class Actions Act*, S.N.L. 2001, c. C-18.1, was heard November 9 and 10, 2010 before Green, C.J.N.L., Barry and Harrington, JJA with written reasons released December 21, 2011.

ON READING the pleadings and proceedings herein, the Order and reasons given thereof by Justice Fowler dated June 7, 2010, and the facts of the parties, upon hearing the submissions of the Appellant and Respondents, and for the written reasons delivered this day,

1. **THIS COURT ORDERS** that leave to appeal the order of Justice Fowler dated June 7, 2010 is hereby granted.
2. **THIS COURT ORDERS** that the Appellant's appeal of the order of Justice Fowler dated June 7, 2010 is hereby dismissed with no order as to costs.


Debbie Brennan
Deputy Registrar

Filed Jan. 30, 2012 JB

201001H0092

IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
COURT OF APPEAL

BETWEEN:

THE ATTORNEY GENERAL OF CANADA

APPELLANT

AND:

TOBY OBED, WILLIAM ADAMS
and MARTHA BLAKE

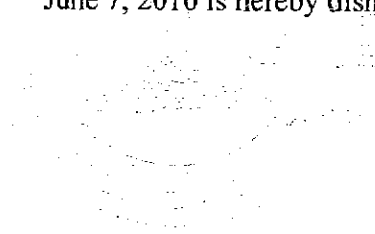
RESPONDENTS

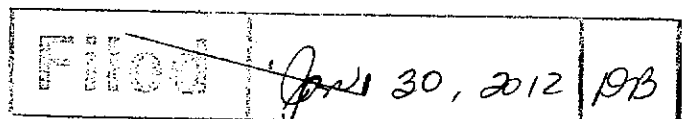
AMENDED ORDER

THIS MOTION FOR LEAVE TO APPEAL AND THE APPEAL, of the Order of the Honourable Mr. Justice Fowler dated June 7, 2010 certifying this action as a class action pursuant to the *Class Actions Act*, S.N.L. 2001, c. C-18.1, was heard November 9 and 10, 2010 before Green, C.J.N.L., Barry and Harrington, JJA. with written reasons released December 21, 2011.

ON READING the pleadings and proceedings herein, the Order and reasons given thereof by Justice Fowler dated June 7, 2010, and the facts of the parties, upon hearing the submissions of the Appellant and Respondents, and for the written reasons delivered this day,

1. THIS COURT ORDERS that leave to appeal the order of Justice Fowler dated June 7, 2010 is hereby granted.
2. THIS COURT ORDERS that the Appellant's appeal of the order of Justice Fowler dated June 7, 2010 is hereby dismissed with no order as to costs.


Debbie Brennan
Deputy Registrar



201001H0091

IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
COURT OF APPEAL

BETWEEN:

THE ATTORNEY GENERAL OF CANADA

APPELLANT

AND:

EDGAR LUCY and DOMINIC DICKMAN


RESPONDENTS

AMENDED ORDER

THIS MOTION FOR LEAVE TO APPEAL AND THE APPEAL, of the Order of the Honourable Mr. Justice Fowler dated June 7, 2010 certifying this action as a class action pursuant to the *Class Actions Act*, S.N.L. 2001, c. C-18.1, was heard November 9 and 10, 2010 before Green, C.J.N.L., Barry and Harrington, JJA. with written reasons released December 21, 2011.

ON READING the pleadings and proceedings herein, the Order and reasons given thereof by Justice Fowler dated June 7, 2010, and the facts of the parties, upon hearing the submissions of the Appellant and Respondents, and for the written reasons delivered this day,

1. **THIS COURT ORDERS** that leave to appeal the order of Justice Fowler dated June 7, 2010 is hereby granted.
2. **THIS COURT ORDERS** that the Appellant's appeal of the order of Justice Fowler dated June 7, 2010 is hereby dismissed with no order as to costs.



Debbie Brennan
Deputy Registrar

Filed Jan. 30, 2012 RB