

Court File No.: 06-25932

Sign 8/06

Being read ~~and~~ + ~~combined~~
 all the material at the submissions. I
 am of the view that the Arbitrator
 was not in error when making her finding
 her view and that she carefully considered
 the material in reaching her decision
 as dismissed.

If the parties are unable to
 resolve the matter I will come away
 he resolved by conference call
 arranged by the parties through my trial
 coordinator



ONTARIO
SUPERIOR COURT OF JUSTICE

Proceeding commenced at
HAMILTON, ONTARIO

APPEAL RECORD

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 Appellant

GB/dm

RECEIVED
 AUG 16 2006
 SUPERIOR COURT
 OF JUSTICE

(15)

Endorsement of Justice Stayshyn dated September 8, 2006

Having read and considered all the material and the submissions, I am of the view that the Arbitrator was not in error making her finding herein and that she carefully considered the authority in making her decision.

As a consequence the appeal is dismissed.

If the parties are unable to resolve the matter of costs we may be reached by conference call arranged by the parties through my trial co-ordinator.

CERTAS DIRECT INSURANCE COMPANY V. NORTHELENSHEIM MUTUAL INSURANCE COMPANY

Court File No.: M92224

AVERT OF APPEAL FOR ONTARIO

FOR SHARPE J.A. BLAIR J.A. MACFARLAND J.A.

POSITION OF MOTION

DEC 22 2006

Leave beyond denied, costs to the respondent provided \$1000, inclusive of disbursements, 6.5%

Blair J.A.

Blair J.A.

MacFarland J.A.

COURT OF APPEAL FOR ONTARIO

Proceedings commenced at TORONTO, ONTARIO

APPELLANT'S MOTION RECORD

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