

CASE NO.

VOL. NO.

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PICTOU COUNTY FARMERS'
MUTUAL FIRE INSURANCE
COMPANY

- and -

GRANT WILLIAMS and CONNIE
WILLIAMS

(Appellant)

(Respondents)

CA165035

Halifax, N.S.

Freeman, J.A.

[Cite as: Williams v. Pictou County Farmers' Mutual Fire Insurance Company, 2001 NSCA 33]

APPEAL HEARD:

January 15, 2001

JUDGMENT DELIVERED:

February 9, 2001

SUBJECT: Insurance Law; Personal Liability Rider; Exclusions; Negligent supervision.

SUMMARY: Guest of respondents' daughter, both minor girls, was injured while a passenger on uninsured motorcycle driven by the daughter. Daughter was an insured under personal liability rider of respondents' home insurance policy. Rider contained exclusion for injuries arising out of ownership or operation of a motor vehicle. Guest sued respondents for negligent supervision and respondents and daughter for negligence in ownership and operation of a motor vehicle. Appellant denied liability under exclusion because damages arose out of operation of a motor vehicle. Trial court chambers judge found appellant was bound to defend the respondents on claim for negligent supervision.

ISSUE: Was the appellant obliged to defend the respondents for negligent supervision when plaintiff's injuries resulted from use of a motor vehicle.

RESULT: The appeal was dismissed. The trial judge did not err in finding that the appellant had not excluded its liability to defend the respondents on a claim brought for negligent supervision, a cause of action separate from the motor vehicle liability claim.

This information sheet does not form part of the court's judgment. Quotes must be from the judgment, not this cover sheet. The full court judgment consists of 6 pages.