

NOVA SCOTIA COURT OF APPEAL

Citation: *Smith v. Royal & SunAlliance Insurance Company of Canada*, 2008 NSCA 121

Date: 20081216

Docket: CA 296283

Registry: Halifax

Between:

Janice Mary Anne Smith

Appellant

v.

Royal & SunAlliance Insurance Company of Canada,
a body corporate

Respondent

Judges: MacDonald, C.J.N.S.; Saunders and Hamilton, J.J.A.

Appeal Heard: December 16, 2008, in Halifax, Nova Scotia

Written Judgment: December 18, 2008

Held: Leave denied per oral reasons for judgment of the Court.

Counsel: David W. Richey, for the appellant
Donn Fraser, for the respondent

By the Court:

[1] We are unanimously of the view that the appellant has failed to raise an arguable issue which would warrant our granting leave. We reach this conclusion largely for the reasons advanced by the respondent in its comprehensive factum.

[2] Leave to appeal is denied. The respondent shall have its costs in the amount of \$1,500, plus reasonable disbursements, to be agreed upon or taxed.

MacDonald, C.J.N.S.

Saunders, J.A.

Hamilton, J.A.