

NOVA SCOTIA COURT OF APPEAL

Citation: *LeBlanc v. Wawanesa Mutual Insurance Company*, 2006 NSCA 138

Date: 20061218

Docket: CA 267938

Registry: Halifax

Between:

Joseph Gerard LeBlanc

Appellant

v.

Wawanesa Mutual Insurance Company

Respondent

Judge: Chief Justice Michael MacDonald

Appeal Heard: November 27, 2006

Subject: **Statutory Interpretation, Automobile Insurance, Extent of Mandatory Coverage**

Summary: A young lady suffered nervous shock upon seeing her cousin being killed when struck by an uninsured motorist. She claimed against the respondent insurer who had issued a standard automobile policy to the deceased's stepfather. It contained a mandatory endorsement covering losses involving uninsured motorists. The trial judge ruled for the insurer, declaring that its coverage did not extend to this loss. The Nova Scotia Uninsured Motorist Claims Fund through its Facility Association thus had to assume the loss. It appealed to this court.

Issue: Did the respondent's mandatory coverage extend to this type of loss?

Result: Appeal dismissed with costs. This type of loss was not covered under the respondent's policy.

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 9 pages.