

CITATION: Nordik Windows Inc. v. Aviva Insurance Company of Canada, 2022 ONSC 1217
DIVISIONAL COURT FILE NOS. 806/21, 667/21
DATE: 20220311

**SUPERIOR COURT OF JUSTICE – ONTARIO
DIVISIONAL COURT**

RE: NORDIK WINDOWS INC. et al, Plaintiffs

AND:

AVIVA INSURANCE COMPANY OF CANADA, AVIVA GENERAL
INSURANCE COMPANY AND AVIVA CANADA INC., Defendants

THE ROYAL CANADIAN LEGION, VICTORY BRANCH #317, Plaintiff

AND:

AVIVA INSURANCE COMPANY OF CANADA, Defendant

MATT MCCALLUM and MATT MCCALLUM DENTURIST PROFESSIONAL
CORPORATION, Plaintiffs

AND:

AVIVA INSURANCE COMPANY OF CANADA, Defendant

BEFORE: Sachs, J. A. Ramsay and Nishikawa JJ.

COUNSEL: *Gavin MacKenzie, Alan L.W. D’Silva, Daniel S. Murdoch, and Lesley Mercer, for
the Defendants*

*Craig Brown, Robert Ben, Stephen Birman, Ava Williams, Crawford Smith, Rahool
Agarwal, Matthew, Cole Pizzo, Chris Blom, and Mark Frederick, for the Plaintiff,
Nordik Windows Inc.*

*Alfonso Campos Reales, Peter W. Kryworuk, Anthony J. Bedard, Jacob R.W.
Damstra and Jacqueline Palef, for the Plaintiffs, Royal Canadian Legion and Matt
McCallum and Matt McCallum Denturist Professional Corporation*

HEARD: in writing

ENDORSEMENT

[1] The Plaintiffs’ motion for leave to appeal the “set aside” order of Belobaba J. dated
December 17, 2021 is dismissed with costs to the Defendants fixed in the amount of \$5000.00, all

inclusive. The Defendants' motion for leave to appeal the certification decisions of Belobaba J. dated July 15, 2021 and September 10, 2021 is dismissed without costs as it is now moot.



Sachs J.

I agree 

Ramsay J.

I agree 

Nishikawa J.

Released: March 11, 2022