

Appeal, and on hearing the submissions of the lawyers for the Appellant and the Respondent in Appeal,

1. **THIS COURT ORDERS THAT** the appeal is dismissed with costs fixed at \$7,500, inclusive of G.S.T. and disbursements.

This Order bears interest at the rate of 3 per cent per year commencing on April 20, 2009.

Apicene

Registrar
Court of Appeal for Ontario

ENTERED AT/INSCRIT A TORONTO
ON/BOOK NO:
LE/DANS LE REGISTRE NO:

MAY 04 2009

PER/PAR: *Apicene*

**Michael J. Quilling, in his capacity as court appointed
receiver for Courtney Wallis Simpson**
Applicant
(Respondent in Appeal)

**Nicholas Smith Attorney in Fact in
Canada for Lloyd's Underwriters**
Respondent
(Appellant in Appeal)

v.

Court of Appeal File No.: C49585
Court File No.: 07-CL-7122

COURT OF APPEAL FOR ONTARIO

Proceeding commenced at Toronto

ORDER

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(Respondent in Appeal)