

COURT OF APPEAL FOR ONTARIO

CITATION: 1725445 Ontario Inc. v. CIBC Investor Services Inc.,
2012 ONCA 440
DATE: 20120621
DOCKET: C54188

Gillese, Rouleau and Epstein JJ.A.

BETWEEN

1725445 Ontario Inc.

Applicant (Appellant)

and

CIBC Investor Services Inc. and Larry Levine Professional Corporation

Respondents (Respondents)

Hagit Genossar, for the appellant

Laura Paglia and Larry J. Levine, Q.C., for the respondents

Heard: June 18, 2012

On appeal from the order of Justice Frank J.C. Newbould of the Superior Court of Justice, dated June 22, 2011.

APPEAL BOOK ENDORSEMENT

[1] After the partial abandonment, the only issue that remains is that of costs awarded below. The appellant acknowledges that the test for granting leave is a stringent one. She maintains it has been met in this case as the award of \$75,000 is not reasonable nor made with reference to the reasonable expectations of the parties.

[2] We disagree. We would not grant leave to appeal costs as we see nothing in the costs award that warrants review by this court. Given the complexity of the matter and the extremely large sums in question, a costs award of this size should come as no surprise.

[3] The appeal is dismissed with costs to the respondent fixed at \$9000, all inclusive.