

COURT OF APPEAL FOR ONTARIO

CITATION: S.E.C. v. M.P., 2022 ONCA 905

DATE: 20221230

DOCKET: C70223

Pepall, van Rensburg and Benotto JJ.A.

BETWEEN

S.E.C. by his Litigation Guardian, A.C.M.,  
A.C.M., N.R.C.M., S.A.C.M., and M.B.C.

Plaintiffs  
(Appellants)

and

M.P. and ONTARIO LTD.  
carrying on business as A.E. LTD.

Defendants  
(Respondents)

AND IN THE MATTER OF  
INTACT INSURANCE COMPANY SETTLEMENT OF  
STATUTORY ACCIDENT BENEFITS  
ENTITLEMENT OF  
S.E.C.

Barbara Legate and Alex Wolfe, for the appellants

No one appearing for the respondents

Heard: December 13, 2022

REASONS FOR DECISION

[1] The appellants are appealing an order of a judge of the Superior Court refusing a request for a sealing order. The order was made in the context of the

court's approval of the settlement of the claims of a person under disability in accordance with r. 7.08 of the *Rules of Civil Procedure*. As a preliminary matter, we directed the appellant to address by motion the jurisdiction of this court to hear the appeal – in particular, whether the order under appeal is final or interlocutory. In the course of the hearing of the motion, the panel requested clarification on the precise order under appeal, as well as other orders made at the time the sealing order was refused. We have since received copies of the relevant orders as well as an amended notice of appeal that was served and filed with the court.

[2] While orders granting or refusing sealing orders are frequently made in the course of litigation, where they are interlocutory as between the parties, the order under appeal was part of the final disposition of a proceeding. The order in question, the other orders made at the same time (including the dismissal of claims) and the judge's endorsement make it clear that nothing further remained to be done in the action, and that the order refusing a sealing order was intended to be final. We are satisfied that the order under appeal is a final order, and properly appealed to this court.

“S.E. Pepall J.A.”  
“K. van Rensburg J.A.”  
“M.L. Benotto J.A.”