

CITATION: Fawcett v. Sun Life Assurance Company of Canada, 2026 ONSC 3137
COURT FILE NO.: CV-20-00084920-0000 (Ottawa)
DATE: 2026May28

SUPERIOR COURT OF JUSTICE - ONTARIO

RE: TARA JESSICA PRICE FAWCETT, Plaintiff/Responding Party

AND

SUN LIFE ASSURANCE COMPANY OF CANADA and THE CHILDREN'S
HOSPITAL OF EASTERN ONTARIO, Defendants/Moving Parties

BEFORE: Justice Gary Tranmer

COUNSEL: J. Griffiths and E. Hallewick, for the Plaintiff/Responding party

E. Scali and C. March, for the Defendant/Moving party, Sun Life

S. Campbell, for the Defendant/Moving party, CHEO

HEARD: in writing

COSTS ENDORSEMENT

CHEO - Plaintiff

- [1] The parties have identified the principles and Rule 57 factors applicable to this costs decision.
- [2] I find that considering those principles and factors, the hours claimed by CHEO on a partial indemnity basis are excessive.
- [3] A fair and reasonable, proportionate, and consistent with the expectations of the parties costs award is in favour of CHEO for the action and motion in the sum of \$20,000 plus H.S.T. together with its disbursements as claimed in the amount of \$1766.41.
- [4] I decline to impose a timeline for payment of costs.

Plaintiff – Sun Life

- [5] This was a case of divided success; Sun Life failed on its summary judgment motion and the plaintiff failed on its boomerang summary judgment motion against Sun Life.

[6] There shall be no order for costs on these motions.

Tranmer J.

Date: May 28, 2026