

CANADA / JUDGMENT

# David v. Loblaw Companies Limited

2026 ONCA 5

## COURT

Court of Appeal for Ontario

## DECIDED

7 January 2026

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David v. Loblaw Companies Limited Collection Decisions of the Court of Appeal Date 2026-01-07 Neutral citation 2026 ONCA 5 Docket numbers COA-24-CV-1333, COA-24-CV-1355 Judges Hourigan, C. William; Zarnett, Benjamin; Sossin, Lorne Subject Civil Decision Content COURT OF APPEAL FOR ONTARIO CITATION: David v. Loblaw Companies Limited, 2026 ONCA 5 DATE: 20260107 DOCKET: COA-24-CV-1333 & COA-24-CV-1355 Hourigan, Zarnett and Sossin JJ.A. BETWEEN Marcy David, Brenda Brooks and Andrew Balodis Plaintiffs (Appellants) and Loblaw Companies Limited, George Weston Limited, Weston Foods (Canada) Inc., Weston Bakeries Limited, Canada Bread Company, Limited\*, Grupo Bimbo, S.A.B. De C.V., Maple Leaf Foods Inc., **Empire Company Limited, Sobeys Inc., Metro Inc., Wal-Mart Canada Corp., Wal-Mart Stores, Inc. and Giant Tiger Stores Limited Defendants (Appellant\*/Respondent)** Proceeding under the Class Proceedings Act, 1992 Reidar Mogerman, K.C., Jay Strosberg, and Scott Robinson, for the appellants Marcy David, Brenda Brooks, and Andrew Balodis (COA-24-CV-1333) J. Thomas Curry and Andrew Locatelli, for the appellant (COA-24-CV-1355)/respondent (COA-24-CV-1333) Canada Bread Company, Limited Christopher P. Naudie, Adam Hirsh, and Graeme Rotrand, for the respondent Maple Leaf Foods Inc. Heard: September 15, 2025 On appeal from the order of Justice Edward M. Morgan of the Superior Court of Justice dated October 25, 2024, with reasons reported at 2024 ONSC 5818. COSTS: REASONS FOR DECISION

- [1] On December 3, 2025, we dismissed the appeals and invited the parties to make written submissions on the costs of the appeals if they were unable to agree: David v. Loblaw Companies Limited, 2025 ONCA 830, at para. 59.
- [2] The parties have advised that they have reached agreement. In accordance with that agreement, we award costs of the appeals in favour of the respondent, Maple Leaf Foods Inc., in the total sum of \$40,000 all inclusive, payable \$20,000 by the appellants Marcy David, Brenda Brooks, and Andrew Balodis and \$20,000 by the appellant Canada Bread Company, Limited. “C.W. Hourigan J.A.” “B. Zarnett J.A.” “L. Sossin J.A.”

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Prepared on 28 October 2026 · Esheria