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**Liberty Mutual Insurance Co. v. Federation Insurance Co. of
Canada**

Between

Liberty Mutual Insurance Company, appellant, and
Federation Insurance Company of Canada, respondent

[2000] O.J. No. 1234
Court File No. C32970

**Ontario Court of Appeal
Toronto, Ontario
Labrosse, Doherty and Austin JJ.A.**

April 10, 2000.
(4 paras.)

Counsel:

Philippa G. Samworth, for the appellant.
No other counsel mentioned.

The judgment of the Court was delivered by

- ¶ 1 **LABROSSE J.A.** (endorsement):— The arbitrator followed the decision of the court in *Miller v. Safeco*, 50 O.R. (2d) 797.
- ¶ 2 There is nothing in the language of the present legislation that would dictate a different approach to measuring of dependency.
- ¶ 3 The application raised a factual issue and we see no error.
- ¶ 4 The appeal is dismissed with costs.

LABROSSE J.A.

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