

**SUPREME COURT OF NOVA SCOTIA**

**Citation:** *Duncan v. Trisura Guarantee Insurance Company of Canada*, 2018 NSSC 92

**Date:** 2018-04-13

**Docket:** Tru. No. 450644

**Registry:** Truro

**Between:**

Gregory Duncan and James White

Applicants

v.

Trisura Guarantee Insurance Company of Canada

Respondent

---

**LIBRARY HEADING**

---

**Judge:** The Honourable Justice Jeffrey R. Hunt

**Heard:** July 24, 25 & 26, 2017, in Truro, Nova Scotia

**Final Written  
Submissions:** August 31 & September 15, 2017

**Written Decision:** April 13, 2018

**Counsel:** Ronald Chisholm, Solicitor for the Applicants  
Gus Richardson, Q.C., Solicitor for the Respondent

**Subject:** Duty of insurer to offer defence to proceeding against Applicants.

**Issue:** Was there compliance with the notice provisions of the policy of insurance thus triggering the duty to defend?

**Result:** The Applicants were successful in carrying their burden to establish the existence of a duty to defend.

***THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION. QUOTES MUST BE FROM THE DECISION, NOT THIS LIBRARY SHEET.***