

Indexed as:

**Kirkham v. State Farm Mutual Automobile Insurance Co.**

APPLICATION UNDER s. 285(1) of the Insurance Act

IN THE MATTER OF a decision of the Ontario Court (General Division) Divisional Court, dated March 31, 1998, upholding the Order of the Ontario Insurance Commission, Office of the Director of Arbitrations, dated January 27, 1997 allowing an appeal from the Arbitration Order dated August 15, 1996

Between

Lloyd W. Kirkham, plaintiff (appellant), and  
State Farm Mutual Automobile Insurance Company and Ontario  
Insurance Commission, defendant (respondent) and respondent

[1998] O.J. No. 2872  
Court File No. M22347

**Ontario Court of Appeal**  
**Toronto, Ontario**  
**McMurtry C.J.O., Labrosse and Abella JJ.A.**

July 9, 1998.  
(2 pp.)

*Practice — Appeals — Leave to appeal — Application for.*

Application by the plaintiff for leave to appeal.

**HELD:** Application dismissed.

**Counsel:**

James R. Howie, for the applicant.  
No other counsel mentioned.

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The judgment of the Court was delivered by

¶ 1 **McMURTRY C.J.O.** (endorsement):— Leave to appeal dismissed with costs.

McMURTRY C.J.O.  
LABROSSE J.A.  
ABELLA J.A.

QL Update: 980901  
qp/mii/DRS