

COURT OF APPEAL FOR ONTARIO

CITATION: SS&C Technologies Canada Corp. v. The Bank of New York Mellon Corporation, 2024 ONCA 873  
DATE: 20241202  
DOCKET: C69439

Tulloch C.J.O., Hourigan and Miller JJ.A.

BETWEEN

SS&C Technologies Canada Corp.

Applicant

(Respondent/Appellant by Cross-Appeal)

and

The Bank of New York Mellon Corporation\* and CIBC Mellon Global Securities Services Company

Respondents

(Appellant\*/Respondent by Cross-Appeal\*)

J. Thomas Curry, Eli Mogil, Brandon Kain, Brian Kolenda, Erin Chesney, Christopher Yung, and Andrew Locatelli, for the appellant/respondent by way of cross-appeal

Chris G. Paliare, Ren Bucholz, Glynnis Hawe, Catherine Fan, and Janet-Lee Song, for the respondent/appellant by way of cross-appeal

Heard: April 24 and 25, 2024

On appeal from the judgment of Justice Markus Koehnen of the Superior Court of Justice, dated July 11, 2023, with reasons reported at 2021 ONSC 2657, 18 B.L.R. (6th) 113; 2022 ONSC 1652, 31 B.L.R. (6th) 112; and 2023 ONSC 4083.

COSTS ENDORSEMENT

[1] This costs endorsement is further to our reasons reported at 2024 ONCA 675. In our reasons, we invited the parties to make costs submissions if they were unable to agree on the issue.

[2] We have received and reviewed the parties' written submissions. Given the divided success on the appeal and cross-appeal, we order that each party shall bear its own costs.

“M. Tulloch C.J.O.”  
“C.W. Hourigan J.A.”  
“B.W. Miller J.A.”