

(Charter and division of power) and civil cases. The results gathered this year show an overall decrease in the number of applications filed to the Court from 580 applications last year to this year's 483. One of the highlights of this year's review is the number of constitutional grants, which is significantly higher than last year in number and proportion and, in fact, is the highest number of leaves granted in decades. In order to reach our results we have relied on the Supreme Court of Canada's compilation of data on all applications received.

## Essays

### ■ Encouraging Settlement vs. Precise Compensation: *Sable Offshore v. Ameron*, *IBM v. Waterman*, and the Future of Mary Carter/Pierringer Settlement Deductibility

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This paper considers the impact of the Supreme Court of Canada's recent decisions in *Sable Offshore v. Ameron* and *IBM v. Waterman* on Mary Carter and Pierringer settlement agreements. It provides a review of how such agreements work, the law on disclosure and deductibility, and the practical effects of *Sable Offshore*. The author argues that *Sable Offshore* and *Waterman* invite a reconsideration of provincial appellate jurisprudence affirming the deductibility of amounts received through Mary Carter and Pierringer agreements from damages awarded to plaintiffs. Finally, it is suggested that the reasoning supporting deductibility — the desire to avoid overcompensating plaintiffs — is not persuasive when weighed against the broader societal goal of fostering settlement of multi-party litigation.