

Nova Scotia Court Of Appeal Docket January-February 2010 Term

WHILE EVERY EFFORT WILL BE MADE TO KEEP THIS DOCKET
CURRENT IT MAY BE SUBJECT TO CHANGE WITHOUT FURTHER NOTICE

CASE	CASE BEING APPEALED	COUNSEL	DATE / TIME	COURT ROOM
<p>CAC 316120 Kevin Patrick Hobbs v. Her Majesty the Queen</p> <p>Decision Under Appeal: Application pursuant to s. 683(1)(a) of the Criminal Code to issue summons to two witnesses to appear to give deposition evidence.</p>	<p>2009 NSSC 257</p> <p>Supreme Court (2009-08-25)</p>	<p>Luke Craggs for the Appellant</p> <p>Ann Marie Simmons for the Respondent</p>	<p>Wednesday January 20, 2010</p> <p>2:00 pm</p>	502
<p>CA 311111 Cecil Boutcher and Clyde Knickle v. Clearwater Seafoods Limited Partnership, a Nova Scotia Limited Partnership</p> <p>Decision Under Appeal: Appeal from a wrongful dismissal action.</p>	<p>2009 NSSC 107</p> <p>Supreme Court (2009-04-03)</p>	<p>Jennifer Ronalds for the Appellants</p> <p>Isabelle French for the Respondent</p>	<p>Monday January 25, 2010</p> <p>10:00 a.m.</p>	502
<p>CA 311399 Minas Basin Holdings Limited v. Paul Bryant Enterprises Ltd. And The Registrar of Joint Stock Companies</p> <p>Decision Under Appeal: Appeal from dismissal of an application by the appellant to bar the respondent minority shareholders from examining the financial statements of the appellant's corporate subsidiaries.</p>	<p>2009 NSSC 55</p> <p>Supreme Court (2009-04-09)</p>	<p>Sheree L. Conlon for the Appellant</p> <p>George MacDonald Q.C. for the Respondent Paul Bryant Enterprises</p> <p>Michael Ryan, Q.C. for the other Respondent (Shareholders)</p>	<p>Monday January 25, 2010</p> <p>2:00 pm</p>	502

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CASE	CASE BEING APPEALED	COUNSEL	DATE / TIME	COURT ROOM
<p>CA 315840 Robert Borden v. The Attorney General of Nova Scotia, The Children's Aid Society of Colchester County and The Nova Scotia Home for Coloured Children</p> <p>CA 316119 Leonard Anthony Smith v. The Attorney General of Nova Scotia, The Children's Aid Society of Colchester County and The Nova Scotia Home for Coloured Children</p> <p>Decision Under Appeal: Appeals from orders for summary judgment granted to the defendants Home for Coloured Children and the Truro CAS in respect to claims for assault, sexual assault and negligence.</p>	<p>2009 NSSC 132 2009 NSSC 137</p> <p>Supreme Court (2009-08-13) (2009-08-20)</p>	<p>Raymond Wagner for the Appellants</p> <p>Terry Potter for the Respondent AGNS</p> <p>Raymond Morse, Q.C. for the Respondent CAS (CA 315840)</p> <p>John Kulik, Q.C. for the Respondent NSHCC</p> <p>Michael Wood, Q.C. for the Respondent CAS (CA 316119)</p>	<p>Tuesday January 26, 2010</p> <p>10:00 a.m.</p>	502
<p>CA 318358 Minister of Health v. J.K.D. (by his litigation guardian, Patricia Drohan)</p> <p>Decision Under Appeal: Appeal by Minister of Health from a decision made pursuant to the Adult Protection Act.</p>	<p>2009 NSSC 289</p> <p>Supreme Court (2009-07-13)</p>	<p>John S. Underhill for the Appellant</p> <p>Matthew MacNeil for the Respondent</p>	<p>Tuesday January 26, 2010</p> <p>2:00 pm</p>	502

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<p>CAC 312539 Cory Patrick Melvin v. Her Majesty The Queen</p> <p>Decision Under Appeal: Appeal from a 60-day intermittent sentence for breach of undertaking (two counts).</p>	<p>2009 NSSC 152</p> <p>Supreme Court (2009-05-20)</p>	<p>Warren K. Zimmer for the Appellant</p> <p>Kenneth W.F. Fiske, Q.C. for the Respondent</p>	<p>Thursday January 28, 2010</p> <p>10:00 a.m.</p>	502
<p>CA 316653 Cangra Natural Stones Inc. v. Snair's White Eagle Bakery Limited, Gregory Snair and Dwight Snair</p> <p>Decision Under Appeal: Appeal from interlocutory order dismissing the application for release of manufacturing equipment distrained by commercial landlord.</p>	<p>2009 NSSC 252</p> <p>Supreme Court (2009-08-25)</p> <p>Adjourned without day</p>	<p>James D. MacNeil for the Appellant</p> <p>Joseph Burke for the Respondent</p>	<p>Monday February 1, 2010</p> <p>10:00 am</p>	502
<p>CA 317041 C.P. v. Family and Children's Services of Hants County and W.R.</p> <p>Decision Under Appeal: Appeal from decision of Family Court Judge placing two children in the permanent care of Family and Children's Services.</p>	<p>Family Court (2009-08-27)</p>	<p>David K. Baker for the Appellant</p> <p>R. Michael MacKenzie For the Respondent Family and Children's Services</p> <p>Peter McVey for the Respondent Minister of Community Services</p>	<p>Monday February 1, 2010</p> <p>2:00 pm</p>	502

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<p>CA 314402 Communications, Energy, and Paperworkers Union of Canada, Local 141 v. Bowater Mersey Paper Company Limited</p> <p>Decision Under Appeal: Appeal from decision quashing arbitrator's decision.</p>	<p>2009 NSSC 193 Supreme Court (2009-06-18)</p>	<p>Raymond F. Larkin Q.C. for the Appellant</p> <p>Richard Petrie for the Respondent</p>	<p>Wednesday February 3, 2010</p> <p>10:00 am</p>	502
<p>CA 317075 Homburg Canada Incorporated v. Nova Scotia Utility and Review Board, Halifax Regional Water Commission and the Attorney General for the Province of Nova Scotia</p> <p>Decision Under Appeal: Appeal from NSUARB decision concerning who pays for backflow prevention devices.</p>	<p>NSUARB-W-HRWC-C-08 NSUARB (2009-08-21)</p>	<p>Michael J. O'Hara for the Appellant</p> <p>Kevin Latimer Q.C. for the Respondent, Water Commission</p> <p>Richard J. Melanson for the Respondent, NSUARB</p>	<p>Thursday February 4, 2010</p> <p>10:00am & 2:00 pm</p>	502
<p>CA 318446 S. S. v. Minister of Community Services, Children's aid Society of Inverness-Richmond, and D.S.</p> <p>Decision Under Appeal: Appeal from supervision order made pursuant to Children and Family Services Act.</p>	<p>2009 NSSC 288 Supreme Court (2009-09-29)</p>	<p>S.S. Appellant In Person</p> <p>Peter McVey for the Respondent Minister of Community Services</p> <p>Lindsay McDonald for the Children's Aid Society</p> <p>Coline Morrow for the Respondent D.S.</p>	<p>Wednesday February 10, 2010</p> <p>10:00 am & 2:00 pm</p>	502

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CA 314264 Lena Rafuse, Glenn Rafuse, and Wendell Rafuse v. Craig Donald Swinimer and Shelly Lynn Rafuse Decision Under Appeal: Appeal involving use of right-of-way.	2009 NSSC 179 Supreme Court (2009-06-10)	Michael K. Power, Q.C. for the Appellants G.F. Philip Romney for the Respondents	Tuesday February 16, 2010 2:00 pm	502
CAC 316120 Kevin Patrick Hobbs v. Her Majesty the Queen Decision Under Appeal: Application pursuant to s. 683(1)(a) of the Criminal Code to issue summons to two witnesses to appear to give deposition evidence.	2009 NSSC 257 Supreme Court (2009-08-25)	Luke Craggs for the Appellant Ann Marie Simmons for the Respondent	Wednesday February 17, 2010 10:00 am	502
CA 319761 L. D. and B. S. v. The Children's Aid Society of Cape Breton-Victoria Decision Under Appeal: Appeal by parents from order placing their child in the permanent care of the agency.	2009 NSSC 352 Supreme Court (2009-11-18)	L. D. Appellant In Person B. S. Appellant In Person Lee Anne MacLeod-Archer for the Respondent	Wednesday February 17, 2009 2:00 pm	502
CAC 316120 Kevin Patrick Hobbs v. Her Majesty the Queen Decision Under Appeal: Application pursuant to s. 683(1)(a) of the Criminal Code to issue summons to two witnesses to appear to give deposition evidence.	2009 NSSC 257 Supreme Court (2009-08-25)	Luke Craggs for the Appellant Ann Marie Simmons for the Respondent	Wednesday February 24, 2010 12:30 pm	502

Continued from Jan. 20/10

**Adjourned to
Feb. 24/10**

Continued from Feb. 17/10

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<p>CA 319761 L. D. and B. S. v. The Children's Aid Society of Cape Breton- Victoria</p> <p>Decision Under Appeal: Appeal by parents from order placing their child in the permanent care of the agency.</p>	<p><u>2009 NSSC 352</u> Supreme Court (2009-11-18)</p>	<p>L. D. Appellant In Person</p> <p>B. S. Appellant In Person</p> <p>Lee Anne MacLeod- Archer for the Respondent</p>	<p>Wednesday February 24, 2009</p> <p>2:00 pm</p>	<p>502</p>