

NOVA SCOTIA COURT OF APPEAL

Citation: *Myatt v. Myatt*, 2004 NSCA 124

Date: 20041013

Docket: CA 227297

Registry: Halifax

Between:

Blaise John Noel Myatt

Applicant/Appellant

v.

Marlene Ann Myatt

Respondent

Judge: The Honourable Justice Joel Fichaud

Application Heard: October 7, 2004, in Chambers

Subject: Stay of Execution

Summary: Appellant sought stay of execution of financial provisions of corollary relief judgment in a divorce.

Issue: Was there irreparable harm? Was there an exceptional basis for the stay?

Result: Irreparable harm must be shown by evidence. Not shown in evidence here. Financial loss generally is governed by the primary test for a stay, not by the secondary “exceptional test”.

This information sheet does not form part of the court’s judgment. Quotes must be from the judgment, not this cover sheet. The full court judgment consists of 6 pages.