

**NOVA SCOTIA COURT OF APPEAL**

Citation: Bishop v. Nova Scotia (Attorney General) , 2006 NSCA 114

**Date:** 20061020

**Docket:** CA 259918

**Registry:** Halifax

**Between:**

Attorney General of Nova Scotia

Appellant

v.

Stewart Bishop

Respondent

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**Judge:** The Honourable Justice Fichaud

**Appeal Heard:** October 3, 2006

**Subject:** **Discovery in expropriation proceeding**

**Summary:** Expropriated party sought discovery of Province's appraiser. Utility and Review Board directed that the appraiser be discovered. The Province challenged the URB's authority to direct a discovery.

**Issue:** Does the URB have the authority to direct a discovery of the Province's appraiser in an expropriation proceeding?

**Result:** Appeal dismissed. Regulation 26 of the *Expropriation Procedures Regulations* authorizes the URB to give directions on practice and procedure. This includes discovery.

**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 8 pages.**