

Date: 20011130
Docket: CAC172665

NOVA SCOTIA COURT OF APPEAL
[Cite as: *Stears v. MacLean*, 2001 NSCA 177]

Cromwell, Hallett and Hamilton, JJ.A.

BETWEEN:

BRIAN A. MacLEAN

Appellant

- and -

BRIAN STEARS

Respondent

REASONS FOR JUDGMENT

Counsel: Charles J. Ford for the appellant
Janet Clark for the respondent

Appeal Heard: November 30, 2001

Judgment Delivered: November 30, 2001

THE COURT: The appeal is dismissed, per reason for judgment given orally by Hamilton, J.A.; Hallett and Cromwell, JJ.A. concurring.

Hamilton, J.A. (Orally):

- [1] We are not persuaded that the chambers judge on this record committed any reviewable error in concluding that personal service had been effected on the appellant, Mr. MacLean.
- [2] Leave to appeal is granted but the appeal is dismissed.
- [3] With respect to costs, they are awarded in the amount of \$750.00 inclusive of disbursements payable forthwith by the appellant to the respondent.

Hamilton, J.A.

Concurred in:

Hallett, J. A.

Cromwell, J. A.