

CASE NO.

VOL. NO.

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THE GUARANTEE COMPANY
OF NORTH AMERICA (LA GARANTIE
corporate
COMPAGNIE D'ASSURANCE
D'AMERIQUE DU NORD), a body corporate

- and -

CROSSLEY CARPET MILLS
LIMITED, a body

Appellant

Respondent

C.A. No. 157960

Halifax

ROSCOE, J.A.

[Cite as: Guarantee Company of North America v. Crossley Carpet Mills Ltd., 2000 NSCA 13]

APPEAL HEARD:

January 17, 2000

JUDGMENT DELIVERED:

January 17, 2000

WRITTEN RELEASE OF ORAL:

January 19, 2000

SUBJECT:

Practice - Forum Non Conveniens

SUMMARY:

The appellant, the defendant in an action to collect payment for carpets supplied to a construction project in Quebec, applied in Chambers to strike the statement of claim or stay the action on the basis that Nova Scotia is a **forum non conveniens**.

ISSUE:

Whether the Chambers judge erred.

RESULT:

Leave to appeal denied with costs. The appellant has not demonstrated that there is another forum that is clearly more appropriate for the trial of this action so as to displace the forum selected by the respondent.

THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S JUDGMENT. QUOTES MUST BE FROM THE JUDGMENT, NOT FROM THIS COVER SHEET. THE FULL COURT JUDGMENT CONSISTS OF 2 PAGES.

