

NOVA SCOTIA COURT OF APPEAL

Citation: Scott Slipp Nissan Ltd. v. Dartmouth Dodge Chrysler (1991) Inc.,
2003 NSCA 98

Date: 20030924
Docket: 190874
Registry: Halifax

Between:

Scott Slipp Nissan Limited

Appellant

v.

Dartmouth Dodge Chrysler (1991) Inc. and
Adesa Auctions Canada Corporation

Respondents

Judges: Cromwell, Oland and Hamilton, JJ.A.

Appeal Heard: September 24, 2003, in Halifax, Nova Scotia

Written Judgment: September 24, 2003

Held: Application for leave to appeal dismissed per oral reasons for judgment of Cromwell, J.A.; Oland and Hamilton, JJ.A. concurring.

Counsel: Walter Newton, Q.C. and Bill Watts, for the appellant
Charles Ford, for the respondent Dartmouth Dodge
Chrysler (1991) Inc.
Colin D. Piercey, for the respondent Adesa Auctions
Canada Corporation

Reasons for judgment:

[1] Scott Slipp Nissan Limited (“Slipp”) applies for leave to appeal a costs order made by Stewart, J. after trial.

[2] In light of the clear findings of fact by the trial judge, we are of the view that this appeal does not raise a fairly arguable point. The application for leave to appeal is therefore dismissed.

[3] The appellant shall pay to each of the respondents costs fixed at \$750 inclusive of disbursements.

Cromwell, J.A.

Concurred in:

Oland, J.A.

Hamilton, J.A.