

CASE NO.

Cite as: Howell v. Brathwaite, 1998 NSCA 126

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WANDA LEE HOWELL

- and -

FRANK BRATHWAITE

Appellant

Respondent

C.A. No. 144303

Halifax

CHIPMAN, J.A.

APPEAL HEARD:

May 26, 1998

JUDGMENT DELIVERED:

May 26, 1998

WRITTEN RELEASE OF ORAL:

May 29, 1998

SUBJECT:**PRACTICE - Interlocutory Appeals****SUMMARY:**

The appellant sought leave to appeal from an interlocutory decision of Edwards, J. ordering production of additional materials and the reattendance of the appellant for a medical examination.

ISSUE:

Whether the Chambers judge erred in the exercise of his discretion.

RESULT:

The Court of Appeal held that it was not shown that the Chambers judge had erred in law or worked a manifest injustice in the exercise of his discretion. Leave to appeal was granted but the appeal was dismissed.

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