

CASE NO.**VOL. NO.****PAGE**

Cite as: Flynn v. Atkinson, 1998 NSCA 162

ARTHUR A. FLYNN, NEIL
MARSHALL and NEIL EDGAR
MARSHALL

- and -

PATRICIA ATKINSON

Appellants

Respondent

CA No. 145511

Halifax

CHIPMAN, J.A.

APPEAL HEARD:

September 15, 1998

JUDGMENT DELIVERED:

September 15, 1998

WRITTEN RELEASE OF ORAL:

September 16, 1998

SUBJECT:

**PRACTICE - Striking Jury Notice - Exercise of Discretion
by Chambers Judge**

SUMMARY:

A Chambers judge granted an application to strike a jury notice on the grounds that the matter was complex.

ISSUE:

Whether the Chambers judge erred.

RESULT:

The Court of Appeal reviewed the circumstances of the exercise of discretion by the Chambers judge and held that he had not erred. The appeal was dismissed.

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QUOTES MUST BE FROM THE DECISION, NOT FROM THIS COVER SHEET. THE
FULL COURT DECISION CONSISTS OF 3 PAGES.**