

**CASE NO.**

**VOL. NO.**

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Cite as: AB Cale Industri v. J.J. MacKay Canada Ltd., 1999 NSCA 34

AB CALE INDUSTRI, a body  
corporate, PIERRE BARRÉ  
and CALE PARKING EQUIPMENT  
INC., a body corporate

- and -

J. J. MACKAY CANADA  
LIMITED, a body  
corporate

Appellants

Respondent

C.A. Nos. 149847 & 149852

Halifax

CHIPMAN, J.A.

**APPEAL HEARD:**

January 7, 1999

**JUDGMENT DELIVERED:**

January 7, 1999

**WRITTEN RELEASE OF ORAL:**

January 11, 1999

**SUBJECT:**

**PRACTICE and PROCEDURE - Appeal from discretionary  
order**

**SUMMARY:**

The appellants sought leave to appeal and if granted, appealed from an interlocutory judgment of Stewart, J. in Chambers dismissing their application for a stay of proceedings herein on the basis of **forum non conveniens**.

**ISSUE:**

Whether the Chambers judge erred in law or any inconvenience resulted from the judgment.

**RESULT:**

The Court of Appeal granted leave but dismissed the appeal on the ground that there was no error of law or injustice.

**THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION.  
QUOTES MUST BE FROM THE DECISION, NOT FROM THIS COVER SHEET. THE  
FULL COURT DECISION CONSISTS OF 1 PAGE.**