

**NOVA SCOTIA COURT OF APPEAL**

**Citation:** Myers v. Prest Bros. Ltd., 2010 NSCA 44

**Date:** 20100514

**Docket:** CA 322033

**Registry:** Halifax

**Between:**

Gary Bruce Myers

Appellant

v.

Prest Bros. Limited, a body corporate

Respondent

**Judge(s):**

Hamilton, Oland, Farrar, JJ.A.

**Appeal Heard:**

May 14, 2010, in Halifax, Nova Scotia

**Written Judgment:**

May 14, 2010

**Held:**

Leave to appeal is denied per reasons for judgment of Oland, J.A.; Hamilton and Farrar, JJ.A. concurring.

**Counsel:**

Bryen E. Hebert and Angeline Gillis, Articled Clerk, for the appellant  
David A. Cameron, for the respondent

**Reasons for judgment:** (Orally)

[1] In order to prevent any further delay in this litigation, we are giving our decision orally. Having carefully reviewed the record and considered the written and able oral submissions of counsel for the appellant, Gary Bruce Myers, and the written submissions for the respondent, Prest Bros. Limited, we see no merit in this appeal.

[2] We would deny leave to appeal and order the appellant to pay the respondent costs of \$1,500 together with disbursements, forthwith.

Oland, J.A.

Concurred in:

Hamilton, J.A.

Farrar, J.A.