

<u>CASE NO.</u>	<u>VOL. NO.</u>	<u>PAGE</u>
DR. PHILLIP OFUME and MAUREEN OFUME	- and -	CIBC MORTGAGE CORPORATION
Appellants		Respondent
CA 178078	Halifax	ROSCOE, J.A.

Citation: Ofume v. CIBC Mortgage Corporation, 2002 NSCA 114

APPEAL HEARD: September 20, 2002

JUDGMENT DELIVERED: September 27, 2002

SUBJECT: **PROCEDURE: APPLICATION TO QUASH NOTICE OF APPEAL, RULE 62.18**

SUMMARY: A Supreme Court Chambers judge declared that a foreclosure action had been settled in accordance with signed minutes of settlement. The defendant appealed. The respondent bank brought an application to quash the notice of appeal on the basis that it was frivolous, vexatious and without merit.

ISSUE: Whether notice of appeal should be quashed.

RESULT: Application to quash granted. The appeal is absolutely unsustainable.

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