

NOVA SCOTIA COURT OF APPEAL

Citation: Harris v. Harris, 2010 NSCA 94

Date: 20101119

Docket: CA 324354

Registry: Halifax

Between:

Victor Garnet Harris

Appellant

v.

Paulette Louise Harris

Respondent

Judge: The Honourable Justice David P. S. Farrar

Appeal Heard: November 9, 2010

Subject: Family Law – Variation of child support – **Civil Procedure Rules** rescinding or varying a security for costs order.

Summary: The appellant appeals the decision of the Supreme Court dismissing his application to vary or rescind an order for security for costs. At the hearing of the appeal, additional facts, arising after the filing of the notice of appeal, came to the attention of the court which had an impact on the matters in issue between the parties.

Issue: Did the learned trial judge err in failing to vary or rescind the order for security for costs?

Result: The matter was remitted to the Supreme Court to take into consideration the change in circumstances evidenced by the additional facts. Appeal dismissed without costs.

This information sheet does not form part of the court's judgment. Quotes must be from the judgment, not this cover sheet. The full court judgment consists of 6 pages.