

**NOVA SCOTIA COURT OF APPEAL**

**Citation:** *Nguyen v. Tran*, 2003 NSCA 72

**Date:** 20030626

**Docket:** 190296

**Registry:** Halifax

**Between:**

Hieu Nguyen and N & N Electric  
Motor Specialists Limited

Appellants

v.

Nuong Cong Tran, Tien Tan Nguyen  
and Cavina Trading Limited

Respondents

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**Judges:** Saunders, Chipman & Oland, JJ.A.

**Appeal Heard:** June 11, 2003

**Written Judgment:** June 26, 2003

**Subject:** Fiduciary duties owed to the company. Standard of appellate review. Requirement for legal analysis in decision writing. Credibility. Expert opinion. Damages.

**Summary:** The appellant, president of Cavina, appealed the trial judge's decision dismissing his counterclaim and awarding the respondents damages of approximately \$198,000 after finding that his actions constituted a breach of the fiduciary duties owed the corporation.

**Held:** Appeal dismissed. Despite the decision's shortcomings and the

sparse legal analysis, it was possible to discern the trial judge's line of reasoning. Strong findings of fact were amply supported by the evidence and analytically provided a legal foundation for the judge's disposition of the case.

**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 10 pages.**