

CASE NO.

VOLUME

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Cite as: Elliott v. John Deere Finance Ltd., 1994 NSCA 232

ALAN ELLIOTT, and Alan Elliott for all partners of KWELL FARM MACHINERY SYNDICATE, a discontinued partnership, and Alan Elliott for OGI CHAOS OPERATIONS LIMITED, a body corporate with a head office at Spa Springs, Annapolis Co. N.S.

G.N. REAGH & SONS LIMITED, a body corporate, with a head office at Middleton, Annapolis Co. N.S. and JOHN DEERE LIMITED, a body corporate, with an office at Grimsby, Ontario and JOHN DEERE FINANCE LIMITED et al

- and -

(Appellant)

(Respondent)

C.A. No. 106413

Halifax, N.S.

MATTHEWS, J.A.
(orally)

APPEAL HEARD:

November 18, 1994

JUDGMENT DELIVERED:

November 18, 1994

WRITTEN RELEASE OF ORAL:

November 24, 1994

SUBJECT:

Contract

ISSUE:

The respondent by interlocutory notice applied to have the action struck out on the ground that it disclosed no cause of action: **C.P.R.** 14.25.

The chambers judge granted the motion.

This is an appeal from that decision.

RESULT: The appeal is dismissed.