

NOVA SCOTIA COURT OF APPEAL
Citation: *Moore v. Darlington*, 2017 NSCA 67

Date: 20170713
Docket: CA 450760
Registry: Halifax

Between:

David Moore and Sand, Surf & Sea Limited, a
body corporate

Appellants

v.

Michelle Darlington

Respondent

Judge: The Honourable Justice David P.S. Farrar

Appeal Heard: April 10, 2017, in Halifax, Nova Scotia

Subject: **Family Law. Division of Matrimonial and Business Assets.**

Summary: The parties were in a common law relationship from 1990 until December 2009. After a 10-day trial, the trial judge addressed a number of issues arising between the parties including the division of matrimonial assets and business assets, unjust enrichment and spousal support. The division of assets and liabilities largely favoured Ms. Darlington. She was also awarded indefinite spousal support. Mr. Moore appeals.

Issues: The appellant raised 15 grounds of appeal in his Notice of Appeal questioning virtually every decision made by the trial judge including his award of costs in the amount of \$50,000 against Mr. Moore.

Result: Appeal dismissed with costs in the amount of \$20,000. The appeal was without merit. In a well-reasoned and fair decision, the trial judge addressed all of the issues raised by

the parties.

His decision is amply supported by the evidence. The appeal was a veiled attempt at having this Court retry the case and reach a different conclusion than the trial judge. That is not our role.

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 21 pages.