

**NOVA SCOTIA COURT OF APPEAL**

**Citation:** *Elfreda Freeman Alter Ego Trust (2015) v. Payne, Wile and Ponhook Lodge Limited*, 2021 NSCA 12

**Date:** 20210120

**Docket:** CA 498690

**Registry:** Halifax

**Between:**

Elfreda Freeman, in her capacity as Trustee of the  
Elfreda Freeman Alter Ego Trust (2015)

Appellant

v.

Elizabeth Payne, Janet Wile and Ponhook Lodge Limited

Respondents

**Judges:** Wood, C.J.N.S.; Hamilton and Bryson, JJ.A.

**Appeal Heard:** January 20, 2021, in Halifax, Nova Scotia

**Written Release** January 21, 2021

**Held:** Appeal dismissed, per reasons for judgment of Wood,  
C.J.N.S.; Hamilton and Bryson, JJ.A. concurring

**Counsel:** Roderick (Rory) H. Rogers, QC, for the appellant  
Andrew Christofi, for the respondents

**Reasons for judgment (orally):**

[1] The panel has reviewed the complete record including the facta filed by each party. We have also heard the oral submissions on behalf of the appellant. We do not need to hear from the respondents and are of the unanimous opinion that this appeal should be dismissed.

[2] The learned hearing judge, Denise Boudreau of the Nova Scotia Supreme Court, made no error in law in reaching the conclusion that a permanent injunction should be issued restraining the appellant and her agents from interfering with the respondents' use of the right of way described in the order issued in the proceeding below on June 2, 2020.

[3] The appellant shall pay costs of the appeal to the respondents in the amount of \$3000.

Wood, C.J.N.S.

Concurred in:

Hamilton, J.A.

Bryson, J.A.