CASE NO. **VOLUME** **PAGE**

Cite as: Poole v. MacKenzie, 1998 NSCA 156

FRANK L. POOLE MICHAEL MacKENZIE

- and -

(Appellant) (Respondent)

C.A. No. 144017 Halifax, N.S. THE COURT

APPEAL HEARD: October 7, 1998

JUDGMENT DELIVERED: October 26, 1998

SUBJECT: **Solicitors - Duty of care when taking signature of guarantor**

SUMMARY: The trial judge held there was no solicitor/client relationship and no breach of fiduciary or other duty when father of his client executed a guarantee of son's loan without being advised to seek separate legal advice. The Appeal Court agreed.

THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION, QUOTES MUST BE FROM THE DECISION, NOT FROM THE COVER SHEET. THE FULL COURT DECISION CONSISTS OF 6 PAGES.