

IN THE SUPREME COURT OF NOVA SCOTIA
APPEAL DIVISION

Jones, Hallett and Freeman, JJ.A.
Cite as: Habitat Development Ltd. v. Austin, 1992 NSCA 58

B E T W E E N:

HABITAT DEVELOPMENT LIMITED,
EASTLAND PROPERTIES LIMITED,
and PHILIP M. ROBINSON

appellants

JAMES AUSTIN, MR. JUSTICE FINTAN J.
AYLWARD, NORVAL R. BLAIR, DR. L.
BOULAY, DR. SPENCER L. BARCLAY,
DR. GORDON WINDSOR, WILSON H.
HOFFE, DR. P.A. LAFEUVRE, DR. A.R.
MERCER, DONALD A. MERCER,
DR. WILLIAM A. MACQUARRIE,
DR. ERIC R. PARSONS, and
DR. T. YOUNG

respondents

- AND -

JOHN D. WHITEWOOD

appellant

JAMES AUSTIN, et al.

respondents

) Robert Murrant, Q.C., and
) Peter D. Wilson
) for appellants
)

) William L. Ryan, Q.C., and
) Graham J. Steele
) for respondents
)

) Michael E. Dunphy and
) Marc J. Belliveau
) for appellant
)

) William L. Ryan, Q.C., and
) Graham J. Steele
) for respondents
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) Appeal Heard:
) June 4, 1992
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) Judgment Delivered:
) July 24, 1992
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THE COURT: Appeal dismissed from Trial Division judgment requiring appellants Eastland Properties Limited, Philip M. Robinson and John D. Whitewood to repay \$90,000 taken from respondents' trust account with Eastland, per reasons for judgment of Freeman, J.A.; concurred in by Jones, J.A.; Hallett, J.A. concurring in the result by separate reasons.

S.C.A. No. 02513
S.C.A. No. 02529

IN THE SUPREME COURT OF NOVA SCOTIA
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