

CASE NO.

VOL. NO.

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Cite as: Maritime Life Assurance Company v. Hartford Accident and Indemnity Company, 1998 NSCA 161

THE MARITIME LIFE
ASSURANCE COMPANY

- and -

HARTFORD ACCIDENT AND
INDEMNITY COMPANY and
THE GUARANTEE COMPANY
OF NORTH AMERICA

Appellant

Respondents

C.A. No. 145016

Halifax

ROSCOE, J.A.

APPEAL HEARD:

September 22, 1998

JUDGEMENT DELIVERED:

September 24, 1998

SUBJECT:

Practice, Conflict of Interest

SUMMARY:

Documents belonging to the appellant that had been determined by the Supreme Court to be subject to solicitor/client privilege mistakenly came into possession of the respondents' solicitors, who transcribed them onto a computer and disclosed their content to employees of the respondents. An application to remove the solicitors was dismissed, and an injunction prohibiting use of the documents was granted as a remedy.

ISSUE:

Whether the Chambers judge applied wrong principles or the result of the order was a patent injustice.

RESULT:

Appeal dismissed without costs. The Chambers judge gave careful consideration to the issues and the competing interests and applied the proper principles of law.

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