

NOVA SCOTIA COURT OF APPEAL
Citation: *Majaess v. Majaess*, 2004 NSCA9

Date: 20040120
Docket: CA 203945
Registry: Halifax

Between:

Rima Majaess

Appellant

v.

Joseph Majaess

Respondent

Judge: Hamilton, J.A.

Appeal Heard: January 15, 2004

Written Judgment: January 20, 2004

Subject: Family law, Settlement Conferences

Summary: A settlement conference was held August 19, 2002. At the conclusion of the conference the settlement judge read into the record the terms on which the parties had agreed to settle and their counsel acknowledged their agreement. Subsequently the appellant indicated she no longer agreed to the settlement terms. She felt the property the respondent was keeping was worth more than it was valued for settlement purposes, a flood had occurred on the property she was keeping and she felt the respondent's interest in a property in Lebanon should be divided. After 10 months the settlement judge granted the corollary relief judgment reflecting the terms read into the record on August 19, 2002. Between August 19, 2002 and the time he granted the order, there were several telephone conferences and appearances between counsel and the settlement judge where representations were made concerning the issues raised by the appellant, some on the record and others not, and valuations provided.

Issue: Did the settlement judge err in granting a corollary relief judgment

giving effect to the settlement reached by the parties on August 19, 2002, given the subsequent issues raised by the appellant?

Result: Appeal dismissed with costs. The settlement judge did not err in granting a corollary relief judgment on the terms the parties agreed to on August 19, 2002. He considered, without objection by either party, the information subsequently provided to him and it did not persuade him that he should not grant the order that the parties anticipated and authorized him to grant on August 19, 2002.

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 9 pages.