

**NOVA SCOTIA COURT OF APPEAL**

**Citation:** Business Depot Ltd. v. 2502731 Nova Scotia Ltd.,  
2004 NSCA 123

**Date:** 20041013  
**Docket:** CA 217161  
**Registry:** Halifax

**Between:**

The Business Depot Limited (Staples)

Appellant

v.

2502731 Nova Scotia Limited and Plazacorp Retail Properties Ltd.

Respondent

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**Judge:** The Honourable Justice Joel Fichaud

**Appeal Heard:** October 12, 2004

**Subject:** Production of documents - non party

**Summary:** Chambers justice ordered production of information by a non-party.

**Issue:** Was the information relevant? Did the order require creation of a new document and, if so, is that outside the Rule?

**Result:** Chambers decision affirmed. Judge on production application need not determine contest on trial-related issues to determine relevance. Creation of retrieval request to database is not outside the Rule on production of documents.

**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 7 pages.**