

IN THE SUPREME COURT OF NOVA SCOTIA

Citation: Banco De Inversion Y Comercio Exterior S.A. v. Bank of Nova Scotia,
2005 NSSC 169

Date: 20050622

Docket: SH 225484

Registry: Halifax

Between:

Banco de Inversion Y Comercio Exterior S.A.

Respondent/Plaintiff

v.

Bank of Nova Scotia

Applicant/Defendant

A D D E N D U M

Judge: The Honourable Justice Glen G. McDougall

Heard: December 1, 2004, in Halifax, Nova Scotia (Addendum
to decision of May 6, 2005)

Counsel: W. Wylie Spicer, Q.C. and Harvey L. Morrison, Q.C. for
the applicant/defendant
Marc de Man, for the respondent/plaintiff

By the Court:

Addendum

[1] By way of correction, the following amendments are being made.

[2] Although several references were made to paragraphs 28, 29 and 31-33 in my decision, I inadvertently neglected to indicate what, if anything, should be done to amend or delete them.

[3] My concerns with paragraphs 28, 29 and 31-33 are the same as those for paragraphs 1, 6-23, 26, 27 (subparagraphs b, c, d, e, f and g), and paragraphs 30 and 37. After reading these paragraphs I am left either confused or uncertain as to just exactly what the Plaintiff is asserting. This confusion and/or uncertainty is “embarrassing” and hence falls victim to *Civil Procedure Rule* 14.25 (1)(c). As such, I order that they be struck from the Statement of Claim with leave to amend.

J.