

**SUPREME COURT OF NOVA SCOTIA**  
**FAMILY DIVISION**

**Citation:** *Armoyan v. Armoyan*, 2015 NSSC 191

**Date:** 2015-07-03

**Docket:** *Halifax* No. 1201-65036

**Registry:** Halifax

**Between:**

Lisa Armoyan

Applicant

v.

Vrege Armoyan

Respondent

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**Judge:** The Honourable Justice Theresa M. Forgeron

**Heard:** February 26, 2015 and May 8, 2015 in Halifax, Nova Scotia

**Decision:** July 3, 2015

**Subject:** Family Law

**Issue:** Abuse of Process

**Result:**

- Decisions rendered by other courts in other proceedings were relevant to abuse of process determination in the **MPA** proceeding. It is illogical to view each decision in isolation because each ruling involved the same family and issues arising from their separation and divorce.
- The husband continuously refused to comply with court orders; his refusals were not grounded on an inability to pay.
- Courts have reprimanded, reproached and rebuked the husband for his dishonorable and shameful litigation conduct. There have been countless stern warnings and sharp rebukes. None of these censures

brought about compliance.

- This exceptional and rare remedy must be invoked because of the husband's misuse of the court's process and procedures. The abuses have proven to be manifestly unfair to the wife; the misconduct was so tainted that it has brought the administration of justice into disrepute. The integrity of the court's adjudicative functions was compromised. The husband's conduct violated principles of fundamental justice underlying the community's sense of fair play; public confidence in the legal process was thus undermined.
- Abuse of process motion granted given the husband' egregious litigation misconduct. The husband's **MPA** pleadings were struck; application to proceed on the wife's pleadings and evidence. The husband may apply to the court to have order vacated once he has complied with all court orders.

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