

**SUPREME COURT OF NOVA SCOTIA**

**Citation:** National Bank Financial Ltd. v. Potter, 2010 NSSC 214

**Date:** 20100607

**Docket:** Hfx. No. 206439

**Registry:** Halifax

And in these actions:

Hfx. No.174293 (Debt Action)

Hfx. No. 193842 (Mahoney)

Hfx. No. 216543 (Keating)

Hfx. No. 208293 (Barthe)

Hfx. No. 227347 (Banks)

Hfx. No. 275267 (Romanowsky)

**BETWEEN:**

National Bank Financial Ltd.

Plaintiff

- and -

Daniel Potter, Starr's Point Capital Incorporated, Fiona Imrie, Gramm & Company Incorporated, 2532230 Nova Scotia Limited, 3020828 Nova Scotia Limited, Ronald Richter, Donald Snow, Meg Research.com Limited, 3027748 Nova Scotia Limited, Calvin Wadden, Raymond Courtney, Bernard Schelew, Blois Colpitts, Stewart McKelvey Stirling Scales, Bruce Clarke, 2317540 Nova Scotia Limited, Knowledge House Inc.

Defendants

**AND BETWEEN:**

Bruce Clarke, Fiona Imrie, Gramm & Company Incorporated, 2532250 Nova Scotia Limited, 302828 Nova Scotia Limited, Calvin Wadden, Bernard Schelew, Daniel Potter, Knowledge House Inc., Starr's Point Capital Incorporated, Donald Snow, Meg Research.com Limited, 3027748 Nova Scotia Limited and Raymond Courtney

Plaintiffs by Counterclaim

National Bank Financial Ltd., National Bank of Canada,  
Real Raymond, Jean Turmel, Michel LaBonte, Lorie Haber,  
Guy Roby, Eric Hicks, Barry Morse, David Mack and Bruce Clarke

Defendants by Counterclaim

- and -

Daniel Potter, Blois Colpitts, Stewart McKelvey Stirling  
Scales and Bruce Clarke

Defendants by Crossclaim

**AND BETWEEN:**

Knowledge House Inc. and Dan Potter

Plaintiffs

- and -

Stewart McKelvey Stirling Scales, Andrew W. Burke,  
R. Blois Colpitts and James K. Cruickshank

Defendants

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**Judge:** The Honourable Justice Suzanne M. Hood

**Heard:** February 22, 2010

**Written Decision:** June 7, 2010

**Subject:** Abuse of Process

**Summary:** Twelve parties in seven actions which are part of the Knowledge House Inc. (“KHI”) litigation seek to have the pleadings of National Bank Financial Ltd. (“NBFL”) struck as an abuse of process and its proceedings stayed.

**Issue:** Should NBFL’s pleadings be struck as an abuse of process?

**Result:** Pleadings not struck; stay not ordered. No abuse of process found.

***THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION.  
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