

**SUPREME COURT OF NOVA SCOTIA**

**Citation:** Oak Island International Group Limited v. Attorney  
General of Canada 2004NSSC179

**Date:** 20040923  
**Docket:** SH 142279  
**Registry:** Halifax

**Between:**

Oak Island International Group Limited

Plaintiff

v.

Attorney General of Canada

Defendant

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**Judge:** The Honourable Justice Hilroy S. Nathanson

**Heard:** May 1, 2, 5, 6, 7, 12, 13, 14, 15, 19, 20, 21, 22, 23, 26, 27, 28, and 29,  
June 2, December 1, 2, 3, 4, 8, 9, 10, 11, 15 and 16, 2003, in Halifax,  
Nova Scotia

**Final Written  
Submissions:** April 7, 2004

**Subject:** Misfeasance and abuse of public office  
Wrongful interference with contractual relations

**Summary:** Oak Island was a participant in an emerging Canadianized silver hake fishery, focussed in part on development of an international market for this fish. It alleges that agents of the federal Crown deliberately made false statements and initiated actions with the intention of harming it and forcing it out of the silver hake fishery, as an eventual result of which it was compelled to declare bankruptcy.

**Issues:**

1. Whether the Plaintiff was eligible to participate in the 1995 developmental silver hake fishery.
2. Whether there is any property interest in a fishing licence and/or an allocation of quota sufficient to support an action for damages.

3. Misfeasance and abuse of public office.
4. Wrongful interference with contractual relations.
5. Whether Defendant's activities caused or contributed to Plaintiff's losses.
6. Whether there is proper basis for a claim for lost profits.
7. Damages.

**Result:** The Court found that the evidence did not support the many allegations of fact made by the plaintiff and, therefore, held that the plaintiff did not prove its claim.

The Court held that it was unnecessary to consider and decide the legal issues. Therefore, this Decision is of little value as a precedent

***THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION.  
QUOTES MUST BE FROM THE DECISION, NOT THIS LIBRARY SHEET.***