

SUPREME COURT OF NOVA SCOTIA
Citation: *Arenburg v. Arenburg*, 2016 NSSC 177

Date: 20160530
Docket: Bwt No. 1203-003680
Registry: Bridgewater

Between:

Joanne Lynn Arenburg

Petitioner

v.

Darrell R. Arenburg

Respondent

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Judge: The Honourable Justice C. Richard Coughlan

Heard: May 11, 2016 in Bridgewater, Nova Scotia

Written Decision: July 11, 2016 (**Orally May30, 2016**)

Subject: Practice-Disclosure and Discovery - Relevant Evidence

Summary: The parties are engaged in a divorce proceeding. After a discovery in which the respondent was questioned about her income including tips and certain documentation was requested from the respondent, the parties entered into a partial separation agreement settling the issue of spousal support. Subsequently the applicant says he was informed by

a third party that the third party was told by the respondent she received tips from her employment which was contrary to her discovery evidence. No evidence was before the court from the third party. A further discovery took place. The respondent was instructed by her counsel not to answer a question. The discovery ended. The applicant brought an application for further disclosure and for the respondent to answer certain questions on discovery.

Issues: Should the order for disclosure and discovery be granted?

Result: Application denied. The issue of spousal support was settled by the partial separation agreement and the disclosure and discovery requested are not relevant to the issues before the court.

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