

SUPREME COURT OF NOVA SCOTIA

Citation: MacNeil v. Nova Scotia (Attorney General), 2010 NSSC 138

Date: 20100406

Docket: Hfx. No. 267469

Registry: Halifax

Between:

Wilfred MacNeil

Plaintiff/Applicant

v.

The Attorney General of Nova Scotia representing Her Majesty
the Queen in right of the Province of Nova Scotia, the
Nova Scotia Teachers Union and the Strait Regional School Board

Defendants/Respondents

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Judge: The Honourable Justice Suzanne M. Hood

Heard: April 6, 2010 in Halifax, Nova Scotia

Written Decision: April 16, 2010 (*Written release of oral decision of April 6, 2010*)

Subject: Presumption re document disclosure (*R 14.08*); timing of summary judgment motion (*R 13.04(6)*).

Summary: Plaintiff seeks production of certain documents from defendants before summary judgment motion is heard.

Issue: Must this disclosure be made before summary judgment motion is heard?

Result: Summary judgment motion can be made before requested documents are provided; not inconsistent with *R. 14.08* presumption. In the event presumption must be rebutted, defendants have done so.

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