

SUPREME COURT OF NOVA SCOTIA
(FAMILY DIVISION)

Citation: Smith v. Smith, 2011 NSSC 304

Date: 20110725
Docket: 1201-64292
Registry: Halifax

Between:

Adam Richard Smith

Petitioner

v.

Katherine Helen Smith

Respondent

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Judge: The Honourable Justice Elizabeth Jollimore

Last Submission Filed: July 20, 2011

Written Decision: July 25, 2011

Summary: Following the decision reported at 2011 NSSC 27 where mother sought to vary terms of comprehensive agreement relating to custody, child support and property division, both parents sought costs. Parenting and child support terms were varied, while terms of the agreement which related to property division, which were not unconscionable or unduly harsh, were not varied. Father had made settlement offer on property which was better than result mother received. However, offer contained conditions less favourable to mother than results she achieved. No costs.

Key words: costs

Legislation: Civil Procedure Rule 40.06(1), Practice Memorandum Number 3

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