

**Case No.**

**Vol. No.**

**PATRICK AUGUSTINE O'REGAN**

**PETITIONER**

- and -

**EVA ROSE O'REGAN**

**RESPONDENT**

**Justice Walter R. E. Goodfellow    Halifax, Nova Scotia    File No. S.H. 1201-51768**

**[Cite as: O'Regan v. O'Regan, 2001 NSSC 77 ]**

---

**LIBRARY HEADING**

---

**DATES HEARD:    June 1<sup>st</sup> and June 7<sup>th</sup>, 2001**

**DECISION:        June 7<sup>th</sup>, 2001 (Orally)**

**WRITTEN RELEASE**

**OF ORAL:         June 11<sup>th</sup>, 2001**

**SUBJECT:         DIVORCE - MPA**

**SUMMARY:        ISSUES -**

- 1.     Did the parties conclude a Separation Agreement?  
No. Reviewed *Chapman v. Chapman* (1997), 155 N.S.R. (2d) 18 and authorities therein.**
- 2.     Is Mrs. O'Regan entitled to Spousal Support?  
No. Conducted *Bray-Long v. Long* (2000), 181 N.S.R. (2d) 327; 2000 R.F.L. (5<sup>th</sup>) 341 analysis. See also *Loughran v. Loughran* (2000), 185 N.S.R. (2d) 143.**
- 3.     Child Support determinations.  
Income includes Child Tax Credit, *Petipas v. Petipas*, S.H. No. 1201-53598, May 1, 2000 (Not yet reported).  
Application of s.9 of Guidelines.**

4. ***Matrimonial Property Act* issues.**

Aeroplan points matrimonial asset, *Tibbetts v. Tibbetts* (1992) 106 N.S.R. (2d) 255. Majority of furniture essential for children, *Clancey v. Clancey* (1991) 99 N.S.R. (2d) 147. Date of division is in fact the date it is divided, *Stoodley v. Stoodley* (1999) 172 N.S.R. (2d) 101, which in this case is the date Mrs. O'Regan Quit Claimed Deed to Mr. O'Regan. Unequal division to take into account needs of children and maintenance of matrimonial home for their benefit. Mortgage back to Mrs. O'Regan based on terms in *Robski v. Robski* (1998) 166 N.S.R. (2d) 161.

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