

SUPREME COURT OF NOVA SCOTIA
Citation: Penwell v. Harwood, 2011 NSSC 309

Date: 20110729
Docket: Hfx. No. 331663
Registry: Halifax

Between:

Dr. Donald Penwell, Susan Penwell and Penwell Holdings Incorporated
Plaintiffs/Respondents

v.

Lee Harwood and Scotia Capital Inc./Scotia Capiteaux Inc. carrying on business as
ScotiaMcLeod
Defendants/Applicants

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Judge: The Honourable Justice Peter P. Rosinski

Heard: July 20, 2011 in Halifax, Nova Scotia

Subject: Demand for Particulars – *Civil Procedure Rule 38*

Summary: Plaintiff investor was suing investment broker and brokerage for breach of contract, negligence, breach of fiduciary duty, and false representations. Investments spanned a nine year time period. Previous Answers to Demands for Particulars had been provided. The Defendants resisted filing their Defence until they were satisfied with the Particulars provided.

Issue: Are the Particulars thus far provided sufficient to allow the Defendants to make a meaningful response in their Defence?

Result: The Particulars provided to date comply with *Civil Procedure Rule 38*.

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