

IN THE SUPREME COURT OF NOVA SCOTIA
IN BANKRUPTCY AND INSOLVENCY

Citation: Coyle (Re), 2011 NSSC 469

Date: December 21, 2011

Docket: B 31647

Registry: Halifax

District of Nova Scotia
Division No. 01 - Halifax
Court No. 31647
Estate No. 51-1034823

In the Matter of the Bankruptcy of Leslie Coyle

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Registrar: Richard W. Cregan, Q.C.

Heard: September 29, 2011

Written Decision: December 21, 2011

Subject: There was an earlier decision in this application (Coyle (Re), 2011 NSSC 238. It determined that the Board of Referees under the *Employment Insurance Act* was a judicial body competent to make findings of fraud, etc., whereby a debt owed by a claimant to the Canada Employment Insurance Commission would survive bankruptcy under Subsection 178(1) of the *Bankruptcy and Insolvency Act (BIA)*.

Issue: The issue in this decision was whether the proceedings before the Board of Referees were subject to the stay of proceedings under Section 69.3(1) of the *BIA* and, if so, whether it could be lifted *nunc pro tunc*.

Result:

It was held that such proceedings were subject to a stay and that it could be lifted *nunc pro tunc*. It was lifted subject to conditions.

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