

**SUPREME COURT OF NOVA SCOTIA**  
**Citation:** Jeffrie v. Hendriksen, 2011 NSSC 460

**Date:** 20111212  
**Registry:** Halifax

**Docket:** Hfx. No. 346079

**Between:**

Roderick Jeffrie

Applicant

v.

Anthony Hendriksen, Inland Marine Services Limited,  
Three Ports Fisheries Limited

Respondents

**Docket:** Hfx. No. 354159

**Between:**

Three Ports Fisheries Limited

Applicants

v.

Roderick Jeffrie and H. Hopkins Limited

Respondents

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**Judge:** The Honourable Justice Peter P. Rosinski

**Heard:** Motion by Correspondence

**Subject:** Motion to reopen Decision to refuse consolidation of two applications in court, before Order signed and issued.

**Summary:** Motion to Consolidate two applications in court was refused, but before the Order was signed, a Motion for

Reconsideration was filed. The argument was made that after a written decision refusing consolidation [and deciding costs] but before issuance of its order, circumstances had materially changed such, that the consolidation was now appropriate.

**Issue:** Did the Court have jurisdiction to consider the issue and should the Court grant leave to reopen the Motion for Consolidation?

**Result:** Leave to reopen Motion for Consolidation refused. The moving party had not established there was a material change in circumstances and that a balancing of the procedural and substantial injustice for both the parties necessitated reopening the Motion.

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