

SUPREME COURT OF NOVA SCOTIA
(FAMILY DIVISION)

Citation: Langhorn v. Mallais, 2013 NSSC 90

Date: 20130307

Docket: 1201-065537

Registry: Halifax

Between:

Belinda Ann Langhorn

Petitioner

v.

Joseph Denis Mallais

Respondent

Judge:

The Honourable Justice Deborah Gass

Heard:

March 4, 2013, in Halifax, Nova Scotia

Counsel:

Jennifer L. Schofield, for the Petitioner
Nicole A. Figueira, for the Respondent

By the Court:

- [1] I have reviewed the formal Offer to Settle and have considered it in light of the matters agreed upon and the points in issue.
- [2] I am satisfied that the parties agreed on a number of significant matters, leaving few issues to be determined at trial.
- [3] Of the unresolved issues, it appears that each party achieved mixed success.
- [4] While the right of “final say” was denied to the Petitioner, the court determined that extra-curricular activities did not fall under the category of “major decisions” as envisaged by joint custody in the context of this family. Matters involving waivers of liability for activities falls within the day to day care and decision making of the primary residential parent.
- [5] While the Respondent was substantially successful in the provision for child support for Chantal, and the responsibility for the RESP, the Applicant recovered the medical expenses.
- [6] All in all, success was mixed and each party will bear their own costs.

J.