

SUPREME COURT OF NOVA SCOTIA

Citation: Northern Pulp Nova Scotia Corporation v. D.R. Brenton Ltd.,
2011 NSSC 510

Date: 20110922

Docket: Pic No. 340973

Registry: Pictou

Between:

Northern Pulp Nova Scotia Corporation

Plaintiff

v.

D.R. Brenton Limited, carrying on business as
Don Breton's Fire and Safety Equipment and
Don Brenton's Fire Protection Equipment

Defendant

LIBRARY HEADING

Judge: The Honourable Justice Patrick J. Murray

Heard: September 22, 2011, in Pictou, Nova Scotia

Oral Decision: September 22, 2011

Written Decision: February 29, 2012

Subject: Striking discovery subpoenas, setting order for discovery.

Summary: The Defendant made a motion to strike discovery subpoenas issued by the Plaintiff and for an Order directing the order in which the witnesses would be discovered.

Issue: Whether the subpoenas should be struck, whether CP Rule 18.16 applied?

Result: Discovery subpoenas struck. Use of subpoenas to determine order in which witnesses to be discovered was

not proper use of rule. Motion to determine order would have been correct procedure.

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