

SUPREME COURT OF NOVA SCOTIA

Citation: All Tech Sealants & Waterproofing Ltd. v. Halifax (Regional Municipality),
2012 NSSC 133

Date: 20120330]
Docket: Hfx No. 309250
Registry: Halifax

Between:

All Tech Sealants & Waterproofing Ltd.

Plaintiff

v.

Halifax Regional Municipality

Defendant

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Judge: The Honourable Justice Michael J. Wood

Heard: March 27, 2012 (in Chambers) in Halifax, Nova Scotia

Decision: March 30, 2012

**Written Release
of Decision:** April 2, 2012

Subject: Civil Procedure - Summary Judgment

Summary: The Defendant made a motion for summary judgment on evidence alleging that the Plaintiff's claim could not succeed in light of the terms of the contract between the parties.

Issue: Should summary judgment be granted?

Result:

Problems had arisen after the contract award which allegedly required changes in the method of work. The Plaintiff alleged that the contract was amended by agreement and unlawfully terminated. The material facts needed to assess the contractual claims were in dispute. Motion for summary judgment dismissed.

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