

SUPREME COURT OF NOVA SCOTIA

Citation: Coates v. Capital District Health Authority, 2012 NSSC 283

Date: 20120724

Docket: Hfx No. 314177

Registry: Halifax

Between:

Rosanne Coates

Applicant

- v. -

Capital District Health Authority

Respondent

- v.

Dr. Stephen Sheehan and Dr. Anil Rickhi

Third Party Respondents

LIBRARY HEADING

Judge: The Honourable Justice Patrick J. Murray

Heard: February 19, 2012, in Halifax, Nova Scotia

Final Written Submissions: March 15, 2012

Written Decision: July 24, 2012

Subject: *Freedom of Information and Protection of Privacy Act*, S.N.S., 1993 c. 5 (The Act) - FOIPOP Application

Summary: The Applicant filed a motion seeking disclosure under Rule 85, of audio recordings and investigation materials. The materials had been earlier redacted as part of a previous FOIPOP application. The tapes and redacted materials were sealed and held by the Court.

Issue: Should the recording and materials be disclosed to the Applicant?

Result:

The motion for disclosure of the recordings, for “listening”, was granted. The motion for disclosure of the investigation was denied. The court detailed the form of order and further required an Undertaking pursuant to Rule 85.02 by the parties.

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