

**SUPREME COURT OF NOVA SCOTIA**

**Citation:** Kent Building Supplies v. Evans, 2013 NSSC 36

**Date:** 20130129

**Docket:** Hfx No. 393420

**Registry:** Halifax

**Between:**

Kent Building Supplies, a division of J. D. Irving,  
Limited, a body corporate

Plaintiff

v.

Jacqueline Elizabeth Evans

Defendant

v.

Preston M. Evans, President, Director and Secretary of  
Peterbuilt Homes Limited and Peterbuilt Homes Limited

Third Parties

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**Judge:** The Honourable Justice Michael J. Wood

**Heard:** January 17 and 25, 2013 (in Chambers) in Halifax, Nova  
Scotia

**Decision:** January 29, 2013 (Orally)

**Written Release  
of Decision:** January 29, 2013

**Subject:** Civil Procedure - Summary Judgment

**Summary:** The plaintiff sought summary judgment on evidence with respect to the defendant's credit account. The defendant disputed some of the invoices and alleged negligence in the plaintiff's supervision of the use of the account by one of the authorized users.

**Issue:** Should summary judgment be granted?

**Result:** The plaintiff demonstrated that there was no material dispute of fact with respect to the existence of the account. The defendant established issues of fact with respect to the calculation of the amount owing, but not with respect to the alleged negligence of the plaintiff. Judgment for liability entered, with damages to be assessed.

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