

SUPREME COURT OF NOVA SCOTIA
(FAMILY DIVISION)

Citation: O'Neil v. O'Neil 2013 NSSC 64

Date:20130221

Docket:1201-058514

Registry: Halifax

Between:

Leonard Samuel Gerard O'Neil

Petitioner/Applicant

v.

Linda Margaret O'Neil

Respondent

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Judge: The Honourable Justice Carole A. Beaton

Date of Decision: February 21, 2013

Issues: Costs in a divorce variation application

Summary: Both parties sought costs following a one day hearing. Submissions on costs revealed the parties had exchanged pre-hearing offers to settle which were not only very similar to the Court's decision but had left the parties only dollars apart in their offers. No costs awarded.

Keywords: Costs; Civil Procedure Rule 77

Legislation: *Divorce Act*, R.S.C. 1985, c.3.
Civil Procedure Rule 77

Caselaw: *Darlington v. Moore* 2011 NSSC 425
Harrington v. Coombs [2011] NSSC 141
Urquhart v. Urquhart (1998) 169 N.S.R. (2d)
Fermin v. Yang, 2009 NSSC 222
MacPhee v. MacPhee, 2012 NSSC 43

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