

SUPREME COURT OF NOVA SCOTIA

Citation: Roué v. Nova Scotia, 2013 NSSC 102

Date: 20130315

Docket: Hfx No. 407754

Registry: Halifax

Between:

Joan Elizabeth Roué and Lawrence James Roué

Applicants

v.

Her Majesty the Queen in Right of the Province of Nova Scotia,
Lengkeek Vessel Engineering Inc.,
Lunenburg County Shipwrights Incorporated, carrying on business as
Covey Island Boatworks, Lunenburg Foundry & Engineering
Incorporation, Lunenburg Shipyard Alliance Limited, MHPM Project
Managers Incorporated, and Snyder's Shipyard Limited

Respondents

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Judge: The Honourable Justice Peter P. Rosinski

Heard: Motion for Directions
March 5, 2013, in Halifax, Nova Scotia

Subject: Motion for Directions - Application in Court, CPR 5.09

Summary: The Roués claim copyright related infringements by the Respondents in relation to the Bluenose II schooner as recently designed and constructed by the Respondents. A Motion to Convert to an Action was earlier dismissed, and the Motion for Directions decision herein flows from that result. The Respondents argued for a procedural time line that would at the earliest see a hearing start in the Fall of 2014. The Roués argued for a hearing in the Spring of 2014.

Issue: Should filing of affidavits precede the discovery process or not in this case?

When can the parties be ready for a hearing?

Result: Affidavits to be filed before discoveries take place.
Twelve day hearing set for the Spring of 2014.

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