

**SUPREME COURT OF NOVA SCOTIA**

**Citation: Paulin v. Nova Scotia (Human Rights Commission) , 2016 NSSC 363**

**Date:** 20160914

**Docket:** SYD No. 448445

**Registry:** Sydney

**Between:**

Lorraine Paulin

*Applicant*

v.

Nova Scotia Human Rights Commission and the Cape Breton Regional  
Municipality

*Respondents*

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**Judge:** The Honourable Justice Patrick J. Murray

**Heard:** May 30, 2016, in Sydney, Nova Scotia

**Written Decision:** September 14, 2016

**Summary:** Judicial review, Employment and Administrative law, Human rights complaint, Motion to Dismiss, Motion to extend time for filing Notice pursuant to *Civil Procedure Rule 7*.

**Result:** Court denied Applicants motion to extend time for filing judicial review, and granted the Respondent's motion to dismiss the Judicial Review Application.

Court considered the following facts in its discussion: 1. Length of delay; 2. Reason for the Delay; 3. Presence or Absence of Prejudice; 4. The Apparent Strength or Merit of the proposed Application; 5. Continuing Intention to apply for Judicial Review.

**Cases/Rules cited:** *Human Rights Act*, R.S.N.S. 1989, c. 214, s. 1; *Farrell v. Casavant*, 2010 NSCA 71; *Central Halifax Community Association v. Halifax (Regional Municipality)*, 2007 NSCA 39; *Cromwell Bros. Ltd. v. Maritime Minerals Ltd.*, [1940] 2 D.L.R. 403; *Blunden et al v. Storm*, (1970), 1 N.S.R. (2d) 621 (A.D.); In *Eco Awareness Society v. Antigonish (Municipality)*, 2010 NSSC 461; *McPhee v. Pulpwood*

*Marketing Board*, (1986) 72 N.S.R. (2d) 312; *Rockwood Community Association v. Halifax (Regional Municipality)*, 2011 NSSC 91; *Pritchard v. Ontario (Human Rights Commission)*, 45 O.R. (3d) 97; *Civil Procedure Rule 7.05(1)(a) and (b)*; 64.03(2); 2.03(1)(c); 7.10(a) and (h); 23.12.

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