

**SUPREME COURT OF NOVA SCOTIA**  
**(FAMILY DIVISION)**

**Citation:** *Murphy v. Murphy*, 2018 NSSC 108

**Date:** 2018-06-01

**Docket:** Halifax No.1201-067080; (086351)

**Registry:** Halifax

**Between:**

Donna Murphy

Applicant

v.

Gerald Murphy

Respondent

---

**LIBRARY HEADING**

---

**Judge:** The Honourable Justice Moira Legere Sers

**Heard:** March 27, 2018 in Halifax, Nova Scotia

**Final Written  
Submissions:** March 13, 2018

**Written Decision:** June 1, 2018

**Subject:** Nova Scotia Civil Procedure Rule 80.02  
Enforcement of Divorce Judgement:

**Summary:** Respondent retained and dissolved Matrimonial Assets post separation and post decision. An Execution Order and civil contempt provided minimal relief.

**Issues:** (1) How to secure remaining assets.  
(2) Incarceration as a form of relief

**Result:** Sheriff authorized to transfer remaining pre and post matrimonial assets in Respondent's name to the Petitioner. Discussion of incarceration as a remedy for deliberate breach of court order.

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