

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

**Citation:** Muise v. Fox, 2013 NSSC 349

**Date:** 2013-11-04

**Docket:** SFHMCA-075135

**Registry:** Halifax

**Between:**

Margaret Elizabeth Muise

Applicant

v.

Leonard Walter Fox

Respondent

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**LIBRARY HEADING**

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**Judge:** The Honourable Justice Elizabeth Jollimore

**Heard:** November 20 and 21, 2012, September 16 and 20, 2013

**Summary:** Following common law relationship which ended in 2010, one partner sought monetary remedy for unjust enrichment, child and spousal maintenance. Child maintenance calculated. Spousal maintenance of \$200.00 awarded for further fourteen months. Unjust enrichment found and partner awarded \$32,000.00.

**Key words:** family, child maintenance, common law partner maintenance, common law relationship, pension division, custody, *Maintenance and Custody Act*, *Pension Benefits Act*, unjust enrichment, extraordinary expenses

**Legislation:** *Child Maintenance Guidelines* N.S. Reg. 53/98, subsection 3(3), section 7, Schedule III, section 3.1  
*Federal Child Support Guidelines*, SOR/97-175, subsection 7(1.1)  
*Maintenance and Custody Act*, R.N.S.N. 1989, c. 160, subsection 2(aa), subsection 3A(1), section 4  
*Pension Benefits Act*, R.S.N.S. 1989, c. 340  
*Pension Benefits Act*, S.N.S. 2011, c. 41

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