

SUPREME COURT OF NOVA SCOTIA
(FAMILY DIVISION)

Citation: Acker v. Acker, 2014 NSSC 5

Date: 20140120
Docket: 1201-58497
Registry: Halifax

Between:

Maurice "David" Acker

Applicant

v.

Elaine Acker

Respondent

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Judge: The Honourable Justice Moira C. Legere Sers

Heard: October 17, 2013 in Halifax, Nova Scotia

Subject: Review/Application to terminate spousal support.

Issue: Should the respondent's spousal support be terminated.

Summary: A 23-year non-traditional marriage. Minutes of Settlement from 1995 permitted a review on or after October 1, 2007. Review application initiated in 2013 when the respondent was 60 years of age. Equal division of assets effected at separation. Applicant improved his financial situation; the respondent did not. Court reviewed the law and the parties' circumstances of marriage and post divorce.

Result: Spousal support continued with a transition over the next five years, reduced until retirement. At the applicant's anticipated retirement onus shifts to the respondent to prove continued entitlement.

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