

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

**Citation:** Ferguson v. Ferguson, 2014 NSSC 350

Date: 20140925  
**Docket:** 1206-6393  
**Registry:** Sydney

**Between:**

**Thomas “Gary” Ferguson**

Petitioner

v.

**Janice Ferguson**

Respondent

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**Judge:** The Honourable Justice Theresa M. Forgeron

**Heard:** April 16 and 17; June 25; September 5 and 23, 2014 in Sydney, Nova Scotia

**Written Decision:** September 24, 2014

**Subject:** Family Law

**Issues:** Property Division  
Spousal Support (Retroactive and Periodic)  
Imputation

**Result:** Assets and debts equally divided despite evidentiary limitations. Husband failed to prove health difficulties prevented or compromised his ability to work. Income includes income earning capacity. SSAG range applied. Retroactive support order granted. Quantum calculated after discount for tax neutrality, nonpayment of occupation rent, and fluctuation in husband’s income.

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