

IN THE SUPREME COURT OF NOVA SCOTIA
Citation: Meadowland Development Co. Ltd v. Smith & Pine Breeze Estates Ltd,
2003 NSSC 255

Date: 20031222
Docket: S.H. 202961 &
S.H. 202963
Registry: Halifax

Between:

Meadowland Development Company Limited

Plaintiff

v.

Darrin Smith, Trustee for Pine Breeze Estates Ltd, of Port Dover, Ontario and
Pine Breeze Estates Limited, a body corporate

Defendants

And Between:

Meadowland Development Company Limited

Plaintiff

v.

Pine Breeze Estates Ltd., a body corporate, Darrin Smith of Port Dover,
Ontario, as Trustee of certain lands for Pine Breeze Estates Ltd, and Fern
Redmond, of Halifax Regional Municipality, Nova Scotia, as Trustee of certain
lands for Pine Breeze Estates Limited.

Defendants

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Judge: The Honourable Justice Donald M. Hall

Heard: December 11, 2003 in Halifax

Subject: Application for leave to be joined as party defendant. Civil
Procedure Rule 8.01

Issue: Whether the applicant has a sufficient interest in the proceeding to
come within rule 8.02.

Summary: Applicant company applied to be joined as a party defendant in two
foreclosure proceedings. Plaintiff opposed on ground that the
applicant did not have the required interest in the proceeding.

Result: The applicant has a sufficient interest as a subsequent encumbrancer and pursuant to an agreement respecting the lands subject to the foreclosure actions.

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