

IN THE SUPREME COURT OF NOVA SCOTIA

Cite as: SNE Corporation v. Kim, 2008 NSSC 48

Date: 20080128

Docket: 290112

Registry: Sydney

Between:

SNE Corporation, a body corporate under the laws of Korea; and
SNE Sea Products Incorporated; a body corporate under the laws of Nova Scotia
Planintiffs

v.

Yong Take Kim, Nam-HWA Lee and Shin Han F & P Inc., a body corporate under the
laws of Nova Scotia
Defendants

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Judge: The Honourable Justice Walter R.E. Goodfellow

Heard: January 28, 2008 in Sydney, Nova Scotia

Written Decision: February 18, 2008 (*Oral decision rendered January 28, 2008*)

Subject: Publication Ban

Summary: Plaintiffs filed for a permanent injunction seeking the removal of the defendants from the premises said to be owned by the plaintiffs, a fish plant etc. in Louisbourg, Nova Scotia and enjoining the defendants from the operation of such

Issue: Should a publication ban be granted?

Result: The law is well settled. The test is set out in **Dagenias v. C.B.C.** 1994 S.C.R. 835 as elaborated on by the Supreme Court of Canada in **Sierra Club of Canada v. Canada (Minister of Finance)** 2002 2 S.C.R. 522. Application fails to disclose a real and substantial risk. Information provided in a public domain that which you would normally expect in any civil dispute. No important commercial interest established that goes beyond the specific interest of the parties and court not satisfied that the beneficial effect of a publication ban would outweigh it's adverse impact on the open court principle. Application dismissed.

THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION.

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