

NOVA SCOTIA COURT OF APPEAL

Citation: *Oickle v. L & B Electric Ltd.*, 2004 NSCA 42

Date: 20040318

Docket: CA 208099

Registry: Halifax

Between:

Larry B. Oickle

Appellant

v.

L & B Electric Ltd. and Ross M. Bunnell

Respondents

Judge: Fichaud, J.A.

Appeal Heard: February 11, 2004

Subject: Inherent jurisdiction of superior court - contempt of court -
undertaking not to disclose discovery information

Summary: The disclosure of discovery productions violated the implied
undertaking. The chambers justice ruled that this was not
contempt of court but imposed a fine nonetheless.

Issue: Does a superior court judge have inherent jurisdiction to levy a
fine without contempt of court?

Result: Court of Appeal held that there was no inherent jurisdiction to
levy a criminal penalty without an offence - either a statutory
offence or contempt of court.

This information sheet does not form part of the court's judgment. Quotes must be from the judgment, not this cover sheet. The full court judgment consists of 15 pages.