

NOVA SCOTIA COURT OF APPEAL  
 Cite as: Eisner v. 909039 Ontario Ltd., 1993 NSCA 27

**Clarke, C.J.N.S.; Hallett and Roscoe, JJ.A.**

**BETWEEN:**

DONALD EISNER	)	Randall P.H. Balcome
	)	
	Appellant	for the Appellant
	)	
- and -	)	
	)	David Farrar
	)	for the Respondent
809039 ONTARIO LIMITED,	)	
a body corporate	)	
	Respondent	Appeal Heard:
	)	February 2, 1993
	)	
	)	Judgment Delivered:
	)	February 2, 1993
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**THE COURT:** Appeal dismissed with no order as to costs per oral reasons for judgment of Hallett, J.A.; Clarke, C.J.N.S. and Roscoe, J.A. concurring.

The reasons for judgment of the Court were delivered orally by:

HALLETT, J.A.

This is an appeal from an interlocutory order. The chambers judge found the appellant did not have an interest in the subject-matter of the lawsuit. We would not interfere with the exercise by the chambers judge of his discretion not to grant intervenor status to the appellant.

The appeal is dismissed. There will be no order for costs.

J.A.

Concurred in:

Clarke, C.J.N.S.

Roscoe, J.A.

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DONALD EISNER

Appellant

- and -

809039 ONTARIO LIMITED,  
a body corporate

Respondent

REASONS FOR  
JUDGMENT BY:

HALLETT, J.A.  
(orally)