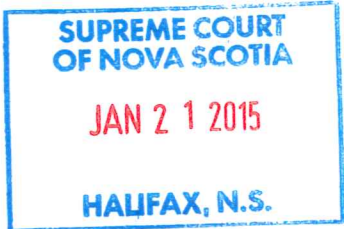


2014

Hfx No. 431696



SUPREME COURT OF NOVA SCOTIA

Between:

MUNICIPALITY OF THE DISTRICT OF GUYSBOROUGH

APPLICANT



and

THE HEIRS AT LAW OF JOSEPH FOGARTY, JAMES P. FOGARTY AND FRANK FOGARTY

RESPONDENTS

ORDER

BEFORE THE HONOURABLE JUSTICE JOSHUA M. ARNOLD IN CHAMBERS:

UPON the first motion for date and directions in this matter being heard on October 23, 2014;

AND UPON a second motion for date and directions in this matter being heard on November 10, 2014;

AND UPON a third motion for date and directions in this matter being heard on January 15, 2015;

AND UPON reading the materials filed herein and upon hearing from Robert Grant, Q.C. for the Applicant and upon Frank Fogarty, Respondent, together with the following persons claiming an interest in the property: Joseph Chabassol, Diana Fogarty Wallis, Ann Louise Fogarty, Diane Clarke, Michael Patrick Fogarty, Brian Patrick Fogarty, Terrance Michael Fogarty, Arthur Campbell, Patricia Campbell, Ronald Jeffrey Fogarty, Ronald Edward Fogarty, Carolyn Fogarty Mundle, David Brian Hoare, David Rhynold, Janet Walsh, John Wayne Fogarty, Agnes Pearce, James Patrick Fogarty, Raymond William Fogarty, Michael Gregory Fogarty, and Kathleen Dunn appearing in person or by agent;

IT IS HEREBY ORDERED THAT:

1. Any person claiming an interest in the property who wishes to introduce evidence in support of the claimed interest shall file Affidavits with the Court by March 13, 2015.

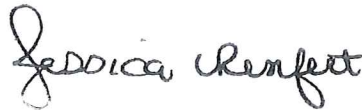
Sgd.
JMA, J.

2. Any person wishing to file evidence in response to Affidavits filed on or before March 13, 2015 and not already on file as of January 15, 2015 shall file the responding Affidavit by April 2, 2015.
3. Pre-Hearing Briefs shall be filed on or before April 10, 2015.
4. The hearing of this matter shall be held on the following dates: May 4 and 5, 2015 beginning at 9:30 a.m. at the Law Courts, 1815 Upper Water Street, Halifax, Nova Scotia.
5. That the Applicant serve a copy of this Order by mailing it on or before January 22, 2015 by registered mail, postage pre-paid or, if available, by email sent to each of the following persons at the address or email included in the Affidavit of Angela Kennedy sworn January 7, 2015, the Supplemental Affidavit of Angela Kennedy sworn January 14, 2015, or the address provided by persons present at the Motion for Directions on January 15, 2015:
 - (a) Diane Clarke;
 - (b) David Rhynold;
 - (c) Art Campbell;
 - (d) Patricia Campbell;
 - (e) Steve Fogarty;
 - (f) Mark Fogarty;
 - (g) Diana Wallis;
 - (h) Terrance Michael Fogarty;
 - (i) Agnes Pearce;
 - (j) John Wayne Fogarty;
 - (k) Raymond William Fogarty;
 - (l) Janet Walsh;
 - (m) Vincent Frederick Fogarty;
 - (n) Kathleen Patricia Dunn;
 - (o) David Brian Hoare;
 - (p) David Gormley;
 - (q) Ralph Christopher Fogarty;
 - (r) James Hoare;

- (s) Paula Collins;
- (t) Michael Gregory Fogarty;
- (u) Frank Fogarty;
- (v) Joseph Chabassol;
- (w) Ann Louise Fogarty;
- (x) Michael Patrick Fogarty;
- (y) Brian Patrick Fogarty;
- (z) Ronald Jeffrey Fogarty;
- (aa) Ronald Edward Fogarty;
- (bb) Carolyn Fogarty Mundle;
- (cc) James Patrick Fogarty; and
- (dd) Daniel Vincent Fogarty

6. The Applicant shall continue to post copies of all filings with the Court in this proceeding on its website: <http://www.municipality.guysborough.ns.ca/residents/fogarty-expropriation-information>. It is not necessary for the Applicant to serve copies of the filings in this proceeding upon the persons listed in paragraph 5 other than a copy of this Order. Any person listed in paragraph 5 of this Order who is unable to view copies of the filings on the Applicant's website may contact the solicitors for the Applicant at Tipper McEwan at Stewart McKelvey, 900-1959 Upper Water Street, PO Box 997 Halifax, NS B3J 2X2, 902.444.1743, tmcewan@stewartmckelvey.com, 902.444.1743. The solicitors for the Applicant shall provide copies of any requested filings to any person listed in paragraph 5 who requests a copy because they are unable to view a copy on the Applicant's website.

DATED at Halifax, Nova Scotia this 21 day of January, 2015.



PROTHONOTARY

JESSICA RENFERT
Deputy Prothonotary

