

NOVA SCOTIA COURT OF APPEAL

BETWEEN:

THE ATTORNEY GENERAL OF NOVA SCOTIA,  
representing Her Majesty the Queen in right of the Province  
of Nova Scotia, (Department of Health), THE MINISTER  
OF HEALTH FOR THE PROVINCE OF NOVA SCOTIA at the  
relevant time and THE EXECUTIVE DIRECTOR OF CONTINUING  
CARE FOR THE PROVINCE OF NOVA SCOTIA

Appellants

- and -

THE ESTATE OF ELMER STANISLAUS MORRISON, by His  
Executor or Representative JOAN MARIE MORRISON, JOAN  
MARIE MORRISON, JOHN KIN HUNG LEE, By His Legal  
Guardian Elizabeth Lee and ELIZABETH LEE

Respondents



*MGH  
J.A.*

ORDER FOR JUDGMENT

REASONS FOR JUDGMENT having been delivered this day by  
Farrar, J.A.; Hamilton and Beveridge, J.J.A. concurring;

IT IS ORDERED THAT the appeal is allowed and the matter is  
remitted to the Chambers judge for a determination of whether the **Charter** claims  
should be certified.

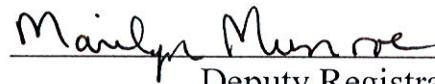
IN THE NOVA SCOTIA  
COURT OF APPEAL

I hereby certify that the foregoing document,  
identified by the Seal of the Court, is a true  
copy of the original document on file herein.

Dated the 15<sup>th</sup> day of July A.D., 2011

*Marilyn Munroe*  
Deputy Registrar

DATED at Halifax, Nova Scotia, this 15<sup>th</sup> day of July, 2011.

  
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Deputy Registrar

**Marilyn Munroe**  
Deputy Registrar  
Nova Scotia Court of Appeal