



Securities Commission

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Expert Advice Not Subject to Litigation Privilege

Halifax - The Nova Scotia Securities Commission has ordered Allen E. Sheito and Gary A. Woods to produce copies of all materials considered by their expert for his May 24, report.

The Nova Scotia Securities Commission issued its written decision and order today, Sept. 20, for the Aug. 29 hearing seeking disclosure of documents relating to the respondents' expert report.

The commission panel concluded the principle in court proceedings that all foundation information referred to by an expert in forming his opinion be disclosed, applies to commission proceedings. The panel stated "litigation privilege is waived in respect to a broad category of information which is relevant to the expert in drawing his conclusions and obligates disclosure of that information to allow the commission to evaluate the objectivity of the expert's opinion."

The Nova Scotia Securities Commission is the provincial government agency responsible for regulating trading in securities in the province. To view the decision and order, visit www.gov.ns.ca/nssc/compliancenance/enforproceedings.asp

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