Blaney McMurtry LLP

NEWS

Family Law Court of Appeal Success

Date: March 06, 2019

Blaney McMurtry partners Margaret Rintoul and Aly Virani won a recent Court of Appeal case dealing with the interpretation of obligations under a cohabitation agreement. The Appellate court reaffirmed the principles of contractual interpretation outlined by the Supreme Court of Canada in *Creston Moly Corp. v. Sattva Capital Corp., 2014 CarswellBC 2267 (S.C.C.)* by applying those established principles to the interpretation of a domestic contract in a family law setting. In reversing the decision of the Trial Judge, the Court of Appeal held that the Trial Judge's view of the background facts surrounding the preparation and execution of the domestic contract overwhelmed and contradicted the words of the contract. The Court of Appeal held that while an analysis of the "factual matrix" plays a significant role in deepening the Court's understanding of the agreement, they must never be allowed to overwhelm the words of the contract. Congratulations to Margaret Rintoul and Aly Virani on this important family law win.

Click here to read the full case.

PEOPLE

- Margaret Rintoul
- Aly Virani

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