

JAMAICA

IN THE COURT OF APPEAL

**BEFORE: THE HON MRS JUSTICE FOSTER-PUSEY JA
THE HON MR JUSTICE D FRASER JA
THE HON MRS JUSTICE TIE POWELL (AG)**

APPLICATION NO COA2026APP00057

**BETWEEN FITZ JACKSON APPLICANT
AND THE BANK OF NOVA SCOTIA JAMAICA LIMITED RESPONDENT**

Douglas Leys KC, Anthony Williams, Miss Annette Henry and Miss Anique Falconer instructed by Usim, Williams & Co for the applicant

Maurice Manning KC and Miss Allyandra Thompson instructed by Nunes Scholefield DeLeon and Co for the respondent

15 June 2026

Endorsement read by Foster-Pusey JA

[1] Having carefully considered the written and oral submissions and authorities cited, the court is of the view that there are proposed grounds of appeal with realistic prospects of success.

[2] In light of the fact that the appeal is to proceed, the court is of the view that the balance of justice requires a stay of the costs order.

[3] Accordingly, the orders of the court are as follows:

1. The applicant is hereby granted leave to appeal the judgment of Brown Beckford J delivered 15 November 2024.
2. There shall be a stay of execution of the order for costs made in favour of the respondent pending the determination of the appeal or further order of this court.
3. Costs to be costs in the appeal.