

**Case No.**

**Vol No.**

**J. E. A.**

**APPLICANT**

**- and -**

**C. L. M. and A. D. M.**

**DEFENDANTS**

**Justice Walter R. E. Goodfellow**

**Halifax, Nova Scotia**

**SFHCAA 013786**

**[Cite as: J.E.A. v. C.L. M., 2002 NSSC 204]**

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**LIBRARY HEADING**

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**DATES HEARD:** May 6th, 7th, 8th, 9th, 10th, 2002 (Final written representations August 14<sup>th</sup>, 2002)

**DECISION:** August 29<sup>th</sup>, 2002

**SUBJECT:** COSTS - SOLICITOR AND CLIENT

**SUMMARY:** Application to apply the Hague Convention, a Convention on the Civil Aspects of International Child Abduction lasted five days with heavy involvement of briefs, etc. Application for return of child to Iowa granted. Consideration of requirements of solicitor and client costs and determined unilateral course embarked upon by Dr. S. included deliberate conscious disrespect for the Courts in Iowa and Nova Scotia and as said in the initial decision her willingness to deceive knew no boundaries. Father's solicitor to submit all specifics as to time and services performed for taxation on a solicitor and client basis, if the parties are unable to agree. Dr. S.'s fourth husband, A. D. M., in somewhat of a different position. For some sustained period he supported Dr. S.'s deception and avoidance of the Court Orders issued in the State of Iowa and although some validity to his position that he did not know the full extent of her deception, he did support it to some considerable extent and further proceedings between he and Dr. S. should be subject to costs determinations in their appropriate files. Concluded that Dr. M. entitled to party and party costs set in accordance with Tariff 'A', scale 5 at \$8,475. equating a five day trial with an "amount involved" of \$75,000.

**THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION. QUOTES MUST BE FROM THE DECISION, NOT THIS COVER SHEET.**