

**SUPREME COURT OF NOVA SCOTIA**

**Citation:** *Bishop v. Purdy*, 2015 NSSC 365

**Date:** 20151222

**Docket:** Amh No. 430543

**Registry:** Amherst

**Between:**

Evelyn Bishop, Carole Black, Johanne Buchanan, Ruth Craib, Glenn Dodge, Richard Duchesne, Barbara Hines, Scott MacDonald, Careen McNeil, Ken Murray, Jennifer Quesnel, Elizabeth Retallack, Lynn Ryan, Fernand Tardif, Lloyd Trerice

Applicants

v.

Bruce Purdy and Frances Purdy

Respondents

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**Judge:** The Honourable Justice A. David MacAdam

**Heard:** August 20, 22, 24 25, 26, 27, 28; December 1, 2015, in Amherst, Nova Scotia

**Final Written Submissions:** December 11, 2015

**Subject:** Costs; self-represented litigants

**Summary:** The applicants sought costs following a partially successful application to establish that they had a right-of-way over the respondents' property. While various claims on the basis of prescriptive or implied rights were dismissed, the court held that the applicants did have a right-of-way pursuant to a reservation in the respondents' deed.

**Issues:** What was the applicants' entitlement to costs?

**Result:** The court awarded lump sum costs of \$15,000, including disbursements. There was no basis to preclude party-and-party costs to self-represented parties, though the amount sought by the applicants amounted to a claim for solicitor-client costs and was accordingly reduced.

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