

IN THE SUPREME COURT OF NOVA SCOTIA
[Cite as: Lavin v. Lessard, 2002 NSSC 016]

RAY JOSEPH LAVIN and CAROLYN JOAN LAVIN

PLAINTIFFS

- and -

REGENT LESSARD and LISE LACHANCE

DEFENDANTS

Justice Walter R. E. Goodfellow

Truro, Nova Scotia

File No. S.T. 08869

LIBRARY HEADING

DATES HEARD: January 2nd, 3rd and 4th, 2002

DECISION: January 4th, 2002 (Orally)

**WRITTEN
DECISION:** January 18th, 2002

SUBJECT: PROPERTY - SELF-REPRESENTED COSTS

SUMMARY: Lavin purchased 13 acres from Mr. Langille that Defendant, Lessard's brother, tried to acquire. Lessard knew this proceeded to purchase adjacent lot and came to delude himself that it contained Lavins' 13 acres. Several findings of fact, including record and possessory title to 13 acre in Lavin. That Lessard deliberately misled the surveyor in what he says was a "trap" for Lavin. Declaration as to title and location of eastern boundary dividing lands.

Costs - Self-represented. *Gilfoy, et al v. Kelloway, et al* (2000) 184 N.S.R. (2d) 226. Consequences of self-represented that added at least an extra day to the trial and additional effort by Plaintiff. Reasonable request for costs granted, otherwise Court would have resorted to Tariff A, Scale 5. Judgment for costs plus \$9,260.00 value of timber removed by Lessard plus pre-judgment interest for two years at 5 per cent.

NO PRECEDENT VALUE.

THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION.

QUOTES MUST BE FROM THE DECISION, NOT THIS COVER SHEET.