

SUPREME COURT OF NOVA SCOTIA

Citation: *Trenholm v. H & C Trucking Ltd.*, 2014 NSSC 418

Date: 20141124

Docket: Hfx No. 253018

Registry: Halifax

Between:

Melissa Mae Louise Trenholm

Plaintiff

v.

H & C Trucking Ltd. and Robert Daniel Izzard

Defendant

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Judge: The Honourable Justice Michael J. Wood

Defendant's August 18, 2014

Written
Submissions:

Written Decision: November 24, 2014

Subject: Costs – Party and Party

Summary: Following trial the Court requested written submissions from counsel on the issue of costs. The plaintiff was successful and therefore *prima facie* entitled to an award of costs. Despite multiple promises and missed deadlines counsel for the plaintiff made no costs submissions. The defendant provided written submissions in August 2014.

Issues: (1) Should the plaintiff be awarded costs and, if so, in what amount?
(2) Should plaintiff's counsel be personally liable for any costs?

Result: The Court made its cost decision in the absence of any submissions from the plaintiff. Tariff was used with some

adjustment for inefficiencies. There was a 15% reduction for unnecessary motions and other conduct of plaintiff counsel. The Court accepted the defence position on disbursements in the absence of any other evidence.

Plaintiff counsel personally responsible for costs of the taxation process in the amount of \$2,500.00

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