

Citation: Plackova v. Turcott
2001 BCSC 1691

Date: 20011204
Docket: B992684
Registry: Vancouver

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

SLAVOMIRA PLACKOVA

PLAINTIFF

AND:

**REBECCA ANN TURCOTT
PATRICIA ANN TURCOTT
OLDRICH PREXLER**

DEFENDANTS

**SECOND SUPPLEMENTARY REASONS FOR JUDGMENT
OF THE
HONOURABLE MR. JUSTICE COULTAS**

Counsel for Plaintiff: Stuart J. Lein

Counsel for Defendants: Timothy H. Pettit

Place of Trial: Vancouver, B.C.

[1] On August 23rd, 2001 I handed down Supplementary Reasons for Judgment which dealt with the issue of costs. I said, inter alia:

There will be a set-off of costs and disbursements between the parties.

[2] On October 26th I received a letter from counsel for the plaintiff submitting that my costs order may result in an injustice to the defendants, and suggesting that my costs order should read:

The costs of the defendants to be set-off against the total of the costs of the plaintiff and the award to the plaintiff.

[3] Upon receipt I wrote to Mr. Lein, counsel for the plaintiff, asking if he intended to respond to the October 25th letter and on November 7th he advised me that he did not intend to do so.

[4] Given that my original costs order could result in prejudice to the defendants I order that paragraph 14 of the first Supplementary Reasons for Judgment be superseded by this new paragraph 14 which reads:

The costs of the defendants to be set-off against the total of the costs of the plaintiff and the award to the plaintiff.

[5] In all other respects I confirm my Supplementary Reasons for Judgment.

"G.R.B. Coultas, J."
The Honourable Mr. Justice G.R.B. Coultas