


NOVA SCOTIA UTILITY AND REVIEW BOARD**IN THE MATTER OF THE EXPROPRIATION ACT**

- and -

IN THE MATTER OF AN APPLICATION by **KEVIN PARTRIDGE** and **JANE DEWOLFE** to determine compensation to be paid by **THE ATTORNEY GENERAL FOR THE PROVINCE OF NOVA SCOTIA**, representing His Majesty the King in Right of the Province of Nova Scotia with respect to the partial expropriation of lands located at 5 South Side Harbour Road, Antigonish

BEFORE:  Richard J. Melanson, LL.B., Member

AMENDED DECISION and ORDER

On August 12, 2022, the Board issued its Decision on the costs payable by the Respondent, The Attorney General for the Province of Nova Scotia, to the Claimants, Kevin Partridge and Jane DeWolfe, pursuant to s. 52 of the *Expropriation Act*. In paragraph [113], the Board retained jurisdiction to address any calculation or arithmetic errors contained in the Decision.

The Province has pointed out two minor arithmetic or calculation issues. The Board is satisfied there was an error in the calculation of the amount to which a 13% global reduction was applied. The figure set out at paragraph [86] of the Decision appears to be a transposition error related to a figure without HST. The figure with HST should be \$796,479.37, rather than \$795,002.38. The second error, involving a 60-cent addition error, is subsumed in the new calculated subtotal of deductions.

The Board therefore finds the amount of costs payable by the Province to the Claimants is as follows:

Total Amount Claimed:

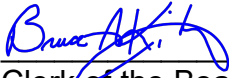
Bill of Costs, inclusive of HST	\$1,053,560.03
Supplemental Bill of Costs, inclusive of HST	\$ 36,955.50
Subtotal	<u>\$1,090,515.53</u>

Less Deductions:

NSCA costs, inclusive of HST (paras. [54],[55])	\$ 116,464.84
Specific items (paras. [45],[46],[69],[70])	\$ 14,128.12
13% global reduction (para. [86], as corrected)	\$ 103,542.32
Feigin account reduction (para. [110])	\$ 50,127.17
Supplemental Bill of Costs reduction (para. [88])	\$ 21,955.50
Subtotal	<u>\$ 306,217.95</u>
TOTAL AMOUNT OF THE COSTS AWARD	<u>\$ 784,297.58</u>

IT IS ORDERED that the Respondent is to pay the Claimants costs in the amount of \$784,297.58.

DATED at Halifax, Nova Scotia, this 21st day of September, 2022.



Clerk of the Board