

## Reasons

June 15, 2000

The interested parties reached a resolution with respect to costs related to the motion concerning partial settlement. That left outstanding the question of costs regarding certification. Once student and wheelspinning time has been eliminated, there was a claim for \$50,000 which I do not see as inappropriate given the nature and complexity of the problem – especially when the multiple objecting defendants who then took a rather aggressive view as to non-certification – and only now when costs are to be dealt with, and I suppose the benefit of hindsight and the natural tendency of rationalization, they take the position that they did not “really” oppose certification. With a reduction down of the \$50,000 claim to \$24,000 in light of the arrangement with the settling defendants, how then should this claim be dealt with regarding the three remaining opposing defendants, McCollco, Dyck and Goselin? McCollco has prudently agreed with the plaintiffs as to \$8,000 plus GST payable forthwith. Dyck and Goselin each indicate that \$4,000 plus GST payable over time would be a more reasonable result. With respect, I differ. The \$8,000 plus GST amount is appropriate in these circumstances for each of Dyck and Goselin. Such amount is to be payable by July 14, 2000.