

IN THE SUPREME COURT OF
THE REPUBLIC OF VANUATU

(Civil Jurisdiction)

Judicial Review Case No. 10 of 2012

BETWEEN: THE UNION OF MODERATE PARTIS COMMITTEE

(Inc.)

Claimant



AND: THE MINISTER OF FINANCE

First Defendant

AND: THE UNION OF MODERATE PATIS FOR CHANGE

(UMPC) COMMITTEE ASSOCIATION

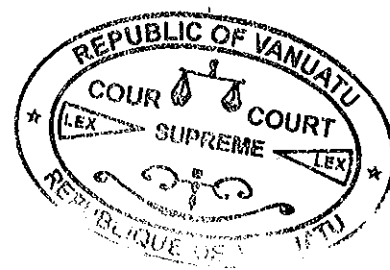
Second Defendant

Hearing: 29 July, 2013
Before: Justice Robert Spear
In attendance: Colin Leo for the Claimant
Christine Lahua (SLO) for the First Defendant
Felix Laumae for the Second Defendant

JUDGMENT – TAXATION OF COSTS

29 July 2013

1. In the decision given on 14 August 2012, the Court ordered that the claimant was entitled to its costs to be shared equally between the first and second defendants on a standard basis to be agreed or taxed. An amended itemized bill of costs has been presented by Mr Leo however there still issues taken with it.
2. Ms Lahua has filed a detailed objection to that bill of costs and it is convenient to deal with the paragraph numbers commonly appearing in both the amended itemised bill of costs and the first defendant's objections.



3. The outcome in each respect was conceded by Mr Leo following discussion:

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|-------------------|--|
| Item 1 | 2 ½ hours is appropriate and it is upheld. |
| Items 2 & 3 | A total of 32.5 hours were charged for the preparation of the relevant documentation. That is considered excessive and it is reduced to 15 hours in total. |
| Item 4 | While a small item it is clear that that should be reduced and it is reduced to .4 of an hour (24 minutes from 36 minutes). |
| Item 10 | 5 hours is excessive and it is reduced to 3 hours. |
| Item 11 | 3 hours is reduced to 1.5 hours. |
| Item 12 | 20 hours is reduced to 6 hours. |
| Items 13, 15 & 16 | Appropriate in all the circumstances and objection overruled. |
| Item 17 | The transport disbursement of Vt 5,000 is inappropriate given that Mr Leo is a Port Vila practitioner and the hearing was in Port Vila. |

4. That reduces the overall bill to a total of Vt 424,780.

5. Each of the defendants is required to pay its equal share being Vt 212,390 by 30 August 2013. Failing such payment, Mr Leo will be entitled to ask for an enforcement conference to be convened. I have already mentioned the ability of the Court to make those behind the second defendant personally liable for the second defendant's share of the costs.

BY THE COURT

