

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

SHERRY TUDGE

PLAINTIFF

AND:

UYOO SUN KOO

DEFENDANT

REASONS FOR DECISION

OF

MASTER BOLTON

(AS REGISTRAR)

Counsel for the Plaintiff: T.J. Delaney, Esq.

Counsel for the Defendant: P. Armitage, Esq.

Place and Date of Hearing: New Westminster, B.C.
November 27, 1998

[1] Section 4(4) of the preamble to Appendix "B" provides:

4(4) Where in the Tariff units may be allowed for preparation for an activity, the registrar may allow units for preparation for an activity that does not take place or is adjourned up to the maximum allowable for one day.

[2] With all respect to the drafters, this is perhaps not as clear as it might be. Is the "preparation for an activity" - e.g., a trial - preparation for a trial of any duration, or preparation for each day of trial?

[3] The answer given by all the registrars has been the former, as the less strained of the two interpretations. My own decision to that effect is now reported, in Wong v. Leung (1998) 20 C.P.C. (4th) 159, and I am not persuaded it is appropriate to reverse that decision.

[4] Item 24 is allowed at 5 units.

"Neil Bolton, Master"