

**IN THE SUPREME COURT OF THE NORTHWEST TERRITORIES**

BETWEEN:

**ARCTIC OUTPOST CAMPS LTD.**

Plaintiff

- and -

**THE GOVERNMENT OF CANADA as represented  
by the Minister of Indian and Northern Affairs**

Defendant

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**Supplemental Reasons on application for security for costs.**

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**REASONS FOR JUDGMENT OF THE HONOURABLE MADAM JUSTICE V.A. SCHULER**

Heard at Yellowknife, Northwest Territories  
on August 13 & 16, 1996

Reasons filed: January 17, 1997

Counsel for the Plaintiff: Gerard K. Phillips

Counsel for the Defendant: Alan R. Regel

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**REASONS FOR JUDGMENT**

1           In Reasons for Judgment issued August 23, 1996 in this matter, I ordered security for costs and directed that counsel for the Defendant submit a draft bill of costs (annexed hereto as Appendix "A").

2           The draft bill of costs was submitted and a satisfactory explanation provided by counsel for the Defendant as to why that was not done within the time required by the Reasons for Judgment.

3           By letter dated November 4, 1996 addressed to the Clerk of the Court, counsel for the Plaintiff advised that he has been unable to obtain instructions from his client. He filed a Notice of Ceasing to Act on November 12, 1996.

4           Neither the Plaintiff, nor anyone on its behalf, has filed submissions or sought to make any submissions about the amounts set out in the draft bill of costs.

- 5 Accordingly, the security for costs is granted on the following terms:
1. The Plaintiff shall deposit cash or bank letters of credit with the Clerk of the Court in the amounts set out in the draft bill of costs:
    - (a) up to and including examinations for discovery, within 45 days of entry of this order;
    - (b) up to trial, within 3 months of the conclusion of the examinations for discovery; and
    - (c) for the trial, not less than 45 days before the commencement of trial.
  2. In the event of failure to pay any part of the above-mentioned security, this action shall stand dismissed with costs against the Plaintiff, without further order, unless the Court on special application otherwise directs.
  3. This action is stayed until the above-mentioned security up to and including examinations for discovery is given.
  4. The costs of and incidental to this application for security for costs shall be costs in the cause.

V.A. Schuler

J.S.C.

Dated at Yellowknife, Northwest Territories  
this 17th day of January, 1997

Counsel for the Plaintiff: Gerard K. Phillips

Counsel for the Defendant: Alan R. Regel

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