1741Brunswick Street, PO Box 456 Halifax, Nova Scotia B3J 2R5 Bus: (902) 424-6499 Fax: (902) 424-8470

Communities, Culture and Heritage Secretariat Division Our File Number: CCH-14-11

June 13, 2014

Mr. Kevin Lacey 2615 Fuller Terrace Halifax, NS B3K 3V8

Re: Disclosure [CCH-14-11- Smart and Bigger Invoices]

Dear Mr. Lacey,

Your application for access under the Freedom of Information and Protection of Privacy (FOIPOP) Act, was received at this office April 25, 2014.

Documentation showing all costs related to Roue Lawsuit (Bluenose II). These costs should include all monies paid to Smart and Biggar. Please provide all invoices/bills and actuals on their expenses

You are entitled to part of the record requested. We have removed information under:

Section 14(1) – Advice to Public Body/Minister Section 16(1) – Solicitor Client Privilege

Section 20(1) Personal Information

The remainder of the record is enclosed.

You have the right to ask, within 60 days of being notified of this decision, for a review of the decision by a review officer. If you wish to ask for a review, you must do so on Form 7, copy of which is enclosed. The completed form would then be sent to Review Officer, PO Box 181, Halifax, NS B3J 2M4.

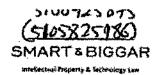
If you have any questions about this decision, please contact me at the address or telephone number provided above or Deborah Day at 424-4732.

Yours truly

Lauren Smith

Information, Access and Privacy Administrator

55 Mercane Sureet Suite 900, PO Box 2999 Station D. Ottawa ON KIP 5Y6 Canada Tel. 613,232,2486 [Fax 613.232.8440 ottawa@smart-biggar.ca



53103-1 S.20(1)

Invoice No. S 1713616

August 4, 2011 HST NO. 122086242

The Province of Nova Scotia Nova Scotia, Department of Justice Legal Services Division 5151 Terminal Road, 4th Floor P.O. Box 7 Halifax, Nova Scotia B3J 2L6, Canada

Re: Province of Nova Scotia - Bluenose II - Request for Opinion Your File No.: 10-2062

FOR SERVICES RENDERED FOR THE PERIOD ending July 31, 2011. Please see attached printout for details.

\$7,200.00 \$1,080.00

HST

NET TOTAL \$7,200.00

HST TOTAL \$1,080.00

TOTAL \$8,280.00

S.20(1)
8.2hrs @ \$.20(1)/hr
3.5hrs @ \$.20(1)/hr
15.5hrs @ \$.20(1)/hr
12.0 hrs @ \$.20(1)/hrs

BUBINESS DPO NUMBER
AREA STORY STORY SCOUNT BO
COST CENTER
SISICIONO STORY SCOUNT BO
APPROVED FOR PAYMENT
RETURN TO VENDOR SUN-LEMENT

COPY

ALL AMOUNTS ARE EXPRESSED IN CANADIAN DOLLARS

S.16 (1) and S.20(1)

S.16(1) and S.20(1)



Official Purchase Order

PO Number:

4500229683

Aug 30, 2011 PO Date:

YOUR VENDOR NO: 10014975 TO: SMART & BIGGAR PO BOX 2999 STN D OTTAWA ON KIP 5Y6

RENDER SEPARATE INVOICE FOR EACH ORDER All invoices, packing slips and bills of lading must show purchase order numbers, consignee and destination.

Invoice	e To:			<u>Invoice</u>	Тепры:			
Dej 180 Hal	ry To: pt. of Tourism & Cultur 30 Argyle St. lifax NS B3J 2R7			<u>Delive</u> Delive	ry tenns:	ugust 30, 2		
Services v Item	were procured by Dept of Material Order Qty	Descript Unit	tion Unit	Order	Price		Extended	Item
			Price Qty	Price Unit	Per Unit	Price Curr	Price	Subtotal
00001		Legal S	ervices Blue	nose II Jul	/11			
	l ed Sales Tax oral	LE	1	LE 15 %	\$7,200.00 \$8,280.00		\$7,200.00 \$1,080.00	\$8,280.00

The item covers the following services:

EA

Item

Description

Quanity Unit

*** Item partially delivered ***

Price/Unit

Extended Price

10

Legal Services Bluenose II Jul/11

\$7,200.00

\$7,200.00

Total \$8,280.00

00005 Minis	terial Spendi	ng Approval (ove	er \$5,000)
Department: Communities, Culture 2			Connumies Culture & Harris
Date: <u>August 24, 2011</u>	<u> </u>		— (g AUG 2 5 2011
	Type	of Goods/Service	e or the Doputy the
Please indicate the following with an ">	(" !		and the same of th
Safety & Security/Medical	×	Operational Requirem	ent
□ Satisfaction of Pre-Existing Le	gal Obligations D	Grant/Subsidy	
Compelling Business Case	O	Other	
Description of Goods/Services to be Put	rchased/Program or	Grant to be Provided:	
Smart & Biggar is Canada's largest fire repeatedly as Canada's leading intellect retained by the Dept of Justice on behalf	tual property firm in	numerous Canadian and it	
Value of Goods/Service/Program Costs	: 515,00	0	
For Program Funding:			
	•		
Total cost of program:			
Cost lacurred to Date:	s	*** **********************************	
Remaining Costs:	\$		
Supporting Reasons: (If you require add IP issues related to Bluenose II are comp the civil service.			advice in addition to that available within
Implications of Not Spending funds:			
S.14(1)			
			1
Procurement Method (if applicable):			
□ Tender	C Stan	ding Offer	
X OtherALTP 4 (so	vle source)		- 100 ,
Approved By:	Approved By:		Approved By:
AUCUSS Executive Director	LAL	July Minister	Minister

GORD Greet Suite 900, PO Box 2999 Station D. Ottaws ON KIP 5Y6 Canada Tel. 613.232.2486 | Fax 613.232.8440 Ottaws@smart-biggar.ca (S/05/825/87)
SMART & BIGGAR

Intellectual Property & Technology Law

53103-1 S.20(1)

Invoice No. S 1705797 June 30, 2011 HST NO. 122086242

The Province of Nova Scotia Nova Scotia, Department of Justice Legal Services Division 5151 Terminal Road, 4th Floor P.O. Box 7 Halifax, NS B3J 2L6

Re: Province of Nova Scotia - Bluenose II Request for Opinion

Your Ref: 03-1263

HST

FOR SERVICES RENDERED for the period ending June 30, 2011. Please see the attached printout for details.

\$7,500.00 \$1,125.00

NET TOTAL \$7,500.00

HST TOTAL \$1,125.00

TOTAL \$8,625.00

S.20(1) 16.3 hrs @ ^{S.20(1)}/hr S.20(1) 1.4 hrs @ ^{S.20(1)}/hr

DOCUMENT IN HELD OF SET OF SET

COF

ALL AMOUNTS ARE EXPRESSED IN CANADIAN DOLLARS

S.16 (1) and S.20(1)

S.16 (1) and S.20(1)



Official Purchase Order

PO Number:

4500229658

PO Date: Aug 30, 2011

O: YOUR VENDOR NO: 100[4975 SMART & BIGGAR PO BOX 2999 STN D OTTAWA ON KIP 5Y6

RENDER SEPARATE INVOICE FOR EACH ORDER All invoices, packing stips and bills of lading must show purchase order numbers, consignee and destination.

Invoice To:	Invoice Terms:				
Delivery To: Dept. of Tourism & Culture	Delivery Terms: Delivery Date: August 30, 2011				
1800 Argyle St. Halifax NS B3J 2R7	Delivery terms:				

Services were procured by Dept of Justice for our dept. Ministerial spending approval obtained.

Item	Material	Descrip	tion	•					
	Order Qty	Unit	Unit Price Qty	Order Price Unit	Price Per Unit	Price Curr	Extended Price	Item Subtotul	
00001		Legal S	ervices Bluer	iose II Jur	v/11			•	
	1	LE	1	LE	\$7,500.00	CAD	\$7,500.00		
Harmonize	d Sales Tax			15 %			\$1,125.00		
Item Subro	otal				\$8,625.00			\$8,625.00	
	covers the following :		••						
Item			ription.						
	Quanity Unit	Price	/Unit				Extended Price		
10		Legal	Services •	Bluenose I	I - Jun/11		•		
	1 EA	\$7,50					\$7,500.00		

Total \$8,625.00

: `00010 Ministe	erial Spendin	ıg Approval (ovei	\$5,000)			
Department: Communities, Culture and Date: August 24, 2011	Heritage		- AUG 2 5 2011			
	Types	f Goods/Service	of the Doputy the			
Please indicate the following with an "X"	Ŧ					
□ Safety & Security/Medical	x	Operational Requireme	nt			
Satisfaction of Pre-Existing Lega	il Obligations 🚨	Grant/Subsidy				
□ Competting Business Case		Other				
Description of Goods/Services to be Purc Smart & Biggar is Canada's largest firm repeatedly as Canada's leading intellectu retained by the Dept of Justice on behalf Value of Goods/Service/Program Costs:	practicing exclusive al property firm in t	ly in intellectual property a numerous Canadian and in expert advice regarding (P	and technology law and have been selected ternational surveys. They have been issues related to Bluenose II.			

For Program Feading:						
Total cost of program:	S					
Cost Incurred to Date:	s					
Remaining Costs:	\$,					
Supporting Reasons: (if you require additional space please submit on separate page): IP issues related to Bluenose it are complex and require specialized expert opinion and advice in addition to that available within the civil service. Implications of Not Spending funds: S.14(1)						
Procurement Method (if applicable):						
□ Tender	□ Ştan	ding Offer				
X OtherALTP 4 (sol	e source)					
Approved By: Approved By: Executive Director	Approved By:	and J	Approved By: Approved By: Alianster			

00011

, 55 Metcalle Street Suite 900, PO Box 2999 Station D, Ottawa ON KIP 5Y6 Canada
Tel. 613.232.2486 | Fax 613.232.8440 ottawa@smart-biggar.ca

SINCE TO STATE STA

Invoice No. S 1720248
September 1, 2011
HST NO. 122086242

Dept. of Justice

53103-1 S.20(1) Finance - CSU

OCT 1 9 2011

The Province of Nova Scotia
Nova Scotia, Department of Justice
Legal Services Division
S151 Terminal Road, 4th Floor
P.O. Box 7

Halifax, Nova Scotia B3J 2L6, Canada SEP 1 3 2011 Legal Services

Re: Province of Nova Scotia - Bluenose II - Request for Opinion Your File No.: 10-2062

HST FOR SERVICES RENDERED FOR THE PERIOD ending August 31, 2011. Please see the attached \$11,500.00 \$1,725.00 printout for details. \$3.32 \$22.10 service charges re: telephone NET TOTAL \$11,522.10 HST TOTAL \$1,728.32 \$13,250.42 TOTAL 12.4hrs @ S.20(1) /hx S.20(1)1.7hrs @ S.20(1) hr S.20(1)5.2hrs @ S.20(1) /hr S.20(1)27.2hrs @ S.20(1) /hr S.20(1)24.1hrs @ S.20(1) /hr S.20(1)

RETURN TO

COPY

ALL AMOUNTS ARE EXPRESSED IN CANADIAN DOLLARS

S.16 (1) and S.20(1)

4 pages redacted



Official Purchase Order

OTTAWA ON KIP 5Y6

PO Number: PO Date:

4102371890 Oct 12, 2011

TO: YOUR VENDOR NO: 10014975 SMART & BIGGAR PO BOX 2999 STN D

RENDER SEPARATE INVOICE FOR EACH ORDER All invoices, packing slips and bills of lading must show purchase order numbers, consignee and destination.

Invoice To: Department of Communities, Culture and Heritage Corporate Strategy and Operations PO Box 456 Halifax, NS B3J 2R5	Invoice Terms:

Delivery To: Dept. of Tourism & Culture 1800 Argyle St. Halifax NS B3J 2R7	Delivery Terms: Delivery Date: October 12, 2011 Delivery terms:

Item	Material	Descript	ion				, , , , , , , , , , , , , , , , , , ,	
	Order Qty	Unit	Unit Price Qty	Order Price Unit	Price Per Unit	Price Curr	Extended Price	Item Subtotal
00001		Legal Se	ervices Blue	nose II Au	g 31/11			
	1	LE	1	LE	\$11,522.10	CAD	\$11,522.10	
Harmonize	ed Sales Tax			15 %			\$1,728.32	
Item Subt	otal				\$13,250.42		•	\$13,250.42
*** from	partially delivered *	**						•
The item	covers the following s	ervices:						
Item	_	Descr	iption					
	Quantity Unit	Price	/Ūnit				Extended Price	
10		· Legal	Services Bi	uenose II	Aug 31/11			
	1 EA	\$11,5					\$11,522.10	

Total \$13,250.42

00017 Ministerial Spen	nding Approval (over \$5	5,000)
Department: Communities, Culture and Heritage Date: September 27, 2011		(Software 11540 9 527 2 7 2411
Ţ	Type of Goods/Service	(no Deputy
Please indicate the following with an "X":		
☐ Safety & Security/Medical	X Operational Requirement	
Satisfaction of Pre-Existing Legal Obligations	□ Grant/Subsidy	
Compelling Business Case	O Other	
Description of Goods/Services to be Purchased/Program Smart & Biggar is Canada's largest firm practicing exc repeatedly as Canada's leading intellectual property fir- retained by the Dept of Justice on behalf of CCH to pro	clusively in intellectual property and to rm in numerous Canadian and intern	itional surveys. They have been
Value of Goods/Service/Program Costs: S	12,000	
For Program Funding:		
Total cost of program:		
Cost Incurred to Date: S		
Remaining Costs:	\$	
Supporting Reasons: (If you require additional space pl IP issues related to Bluenose II are complex and require the civil service.		e in addition to that available within
Implications of Not Spending funds: 5.14(1)		
Procurement Method (if applicable):		
© Tender 5	□ Standing Offer	
X OtherALTP 4 (sole source)		· · · · · · · · · · · · · · · · · · ·
Approved By: Executive Director	Deputy Minister	proved By: Det 1 1 2011

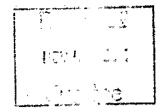
55 Mercfalld Street Suite 900, PO Box 2999 Station D, Ottawa ON KIP 5Y6 Canada Tel. 613.232.2486 | Fax 613.232.8440 ottawa@smart-biggar.ca



53103-1 S.20(1)

Invoice No. S 1734508 November 2, 2011 HST NO. 122086242

The Province of Nova Scotia
Nova Scotia, Department of Justice
Legal Services Division
5151 Terminal Road, 4th Floor
P.O. Box 7
Halifax, Nova Scotia
B3J 2L6, Canada



Re: Province of Nova Scotia - Bluenose II - Request for Opinion Your Ref: 10-2062

YOUT REI: 10-2062		
OR SERVICES RENDERED FOR THE PERIOD ENDING ctober 31, 2011. Please see the printout for etails.	\$18,000.00	HST \$2,760.0
ravel expenses	\$1,494.18	\$224.1
ervice charges re: computer charges; telephone; notocopying	\$130.12	\$19.5
Finance - CSU NET TOTAL	\$19,624.30	
HST TOTAL	\$2,943.65	
MAR C. 2012 TOTAL	\$22,567.95	
5001031662 COST CENTER SID 10 19 ORDER NUMBER APPROVED	10.12.3.71/1 ACCOUNT	(1 0)

CO

ALL AMOUNTS ARE EXPRESSED IN CANADIAN DOLLARS



Official Purchase Order

YOUR VENDOR NO: 10014975

SMART & BIGGAR PO BOX 2999 STN D OTTAWA ON KIP 5Y6

RENDER SEPARATE INVOICE FOR EACH ORDER All invoices, packing slips and bills of lading must show purchase order numbers, consignee and destination.

PO Number:

PO Date:

4102371450

Mar 05, 2012

Invoice To:

Heritage Division Executive Director's office 1747 Summer Street Halifax, NS B3H 3A6

invoice Terms:

Delivery To:

Communities, Culture& Heritage Heritage Division Executive Director's office 1747 Summer Street Halifax NS B3H 3A6

Delivery Terms:

Delivery Date: March 05, 2012

Delivery terms:

Item	Material	Descrip	ion		- Control of the Cont			
	Order Qty	Unit	Unit Price Qty	Order Price Unit	Price Per Unit	Price Curr	Extended Price	liem Subtotal
00001		Legal se	rvices-copyv	vright opin	ion			
	t	LE	1	LE	\$19,624.30	CAD	\$19,624.30	
Harmonized	Sales Tax			15%			\$2,943.65	
item Subtot	ai				\$22,567.95	i		\$22,567.95
*** Item	partially delivered *	**			•			

Quanity Unit

Price/Unit

Extended Price

10

Legal services-copywright opinion

EA ţ

\$19,624.30

\$19,624.30

Total \$22,567.95

S.16 (1) and S.20(1)

3 pages redacted



Department of Justice Legal Services Division

4th Floor - 5151 Terminal Road

PO Box 7 Halifax NS B3J 2L6 Phone: Fax: 902-424-3297

Fax: E-mail: 902-424-1730 goresea@gov.ns.ca

Edward A. Gores, Q.C. Senior Counsel

File No.: 11-1252

SENT VIA COURIER:

November 9, 2011

Rhonda M. Walker
Director, Corporate Strategy and Operations
Department of Communities, Culture and Heritage
6th Floor - 1800 Argyle Street
Halifax, NS B3J 2R5

Dear Ms. Walker:

Re: Joan Elizabeth Roue and Lawrence James Roue v. John Doe, Jane Doe and All Those Persons Who Are Infringing the Plaintiff's Copyright and Moral Right in Architectural Drawings - Federal Court File No.: T-1063-11

Enclosed please find Smart & Biggar Invoice No. S 1734508 dated November 2, 2011 in the amount of \$22,567.95 for payment for services rendered for the period ending October 31, 2011 in relation to our Request for Opinion regarding Copyright - Bluenose II.

Yours/truly,

Edward A. Gores, Q.C.

EAG/sek Encis.

11 - 11 - 1

SMART & BIGGAR

intellectual Property & Technology tank

55 Metcalfe Street Suite 900 PO 80x 2999 Station O Ottawa ON KIP 5Y6 Canada Tel. 613.232.2486 [Fax 613.232.8440

www.smart-biggar.ca

S.20(1) S.20(1)@smart-biggar.ca

Our Ref: 53103-1

is soft of Hove a Zall America

November 2, 2011

Mr. Edward Gores
The Province of Nova Scotia
Nova Scotia, Department of Justice
Legal Services Division
5151 Terminal Road, 4th Floor
P.O. Box 7
Halifax, NS B3J 2L6

Dear Ed:

Re: Province of Nova Scotia - Bluenose II Request for Opinion
Your Ref: 03-1263

Please find enclosed our debit note for services rendered in the above-identified matter for the period ending October 31, 2011. Please note that we have written off our student's time and some of the time spent by S.20(1)

The attached invoice does not include S.20(1)

travel expenses for our visit to Halifax on October 4, 2011, which will be included in our next invoice.

Please let us know if you have any questions or concerns regarding the foregoing.

Yours very truly,

S.20(1)

S.20(1)

5.20(1) **Enci**

	-00025 Mini	isterial Spendi	ing /	(over	r \$5,000)			
Depar	riment: <u>Communities, Culture</u>	and Heritage						
"jta:				-	•			
لار								
	-		of Goo	ods/Service				
	e indicate the following with an	1 "X":						
a	Safety & Security/Medical		X	Operational Req	•			
a	Satisfaction of Pre-Existing L	anoitspiidO lege	0	Grant/Subsidy				
Q	Compelling Business Case		0	Other				
Descr	iption of Goods/Services to be	Purchased/Progr	ord Ot.	Grant to be Provi	÷4Å:			
Smart been s survey	: & Biggar is Canada's largest fi selected repeatedly as Canada's	ikm practicing excl 's leading intellects	lusivet	ly in intellectual p operty firm in num	property and technology law and have merous Canadian and international provide expert advice regarding IP			
Value	of Goods/Service/Fregram Cos	sta: \$100,0	000					
	rogram Funding:		_					
	Total coat of program:	\$100,	,000 _					
	Cost incurred to Date:	\$ 26,2	200 <u> </u>					
.)	Remaining Costs:	\$ 73,8	100					
iP issur avallab	Supporting Reasons: (if you require additional space please submit on separate page): iP issues related to Bluenose II are complex and require specialized expert opinion and advice in addition to that available within the civil service. Implications of Not Spending funds: 6.14(1)							
orocită	ement Method (if applicable):			All the state of t				
*100mp								
	□ Tender		Stance	ing Offer				
	X OtherALTP 4 (se	ole source)		· · · · · · · · · · · · · · · · · · ·	· · · · · · · · · · · · · · · · · · ·			
/bbtove	id By:	Approved By:	-		Approved By:			
Žu	Executive Director	SAL	r A <u>s</u> 1	dez.	Minister			

00026 Payment of Non-Compliant Invoice Authorization Form

Procurement Services Province of Nova Scotla Tel: 902-424-3333

Fax: 902-424-0780

Procurement Services endeavors to competitively solicit tenders for goods and services in excess of \$10,000 (excluding taxes) and obtain quotes to ensure best value for purchases under \$10,000 CAD (excluding taxes). Procurement policies and procedures should be reviewed <u>prior</u> to making any purchase.

- This form is to be completed for all purchases where the purchasing process was not followed and the invoice has already been received from the vendor
- All fields on this form MUST be completed.
- In SAP the Award Type is NC. The Award Category is NC01 for low value purchases and NC02 for high value purchases.
- Keep this form on file for audit purposes and forward a copy to Procurement Services for high value purchases

Section A			
All fleids are mandatory. An SAP Requisition Number: (if available)	y forms missing information w	ill be returned to the requesting PO Creation Date:	department.
Invoice Date:	Nov. 2, 2011	Purchase Amount (excluding taxes)	\$19,624.30
invoice Number(s):	S 1.734508		,
Brief Description of Goods or Services Purchased:	For professional services rer Your Ref# 10-2062	ndered – Request for Opinion –	Copyright - Bivenose II
Awarded To (vendor name):	Smart & Biggar	Have you received Ministerial Approval for this purchase?	X Yes No
Requested by (Name):	Edward A. Gores	Phone Number:	424-3297
Purchased by (Name):	Edward A. Gores	Phone Number:	424-3297
Section 8- Signatures	·		
purchase transactions that ex CAD (excluding taxes). I have been placed with a supplier w	ceed \$10,000 CAD (excluding to attached the required back up ithout following proper procure	Province of Nova Scotla is to obtained and quotations on purchase documentation (Section C), and ament procedures. I gned by the supervisor or person	transactions under \$10,000 acknowledge that an order has
Name of Supervisor:	пините прополужения на нам	Department/Division:	
Signature:		Date:	######################################
For purchases <u>over</u> \$10,000 C/ Deputy Head per <u>Sustainable</u>	ND (excluding taxes): To be sign Procurement Policy.	ned by the Deputy Head or deleg	noted to Acting/Assistant
Name and Title:	LAURA LEE LANGLEY	Department/Division:	COMMUNITIES, CULTURE AND HERITAGE
Signature:	KHAzguz	Date: 21-9,2012	ICH
Please check one of the following Deputy Head	ng:		

00027 Payment of Non-Compliant Invoice Authorization Form

Procurement Services Province of Nova Scotia Tel: 902-424-3333

Fax: 902-424-0780

	Section C To be completed by Department staff (This section is mandatory) Please provide the reason that the procurement process was <u>not</u> followed (attach additional sheets if necessary)							
	This firm was retained pursuant to the Department of Justice's private law firm retainer policy to deal copyright and trademark issues beyond our expertise and experience. At the time the firm was retained, the extent of services to be required in the future was not known and their involvement in solution building continued to be required. The firm is a nationally recognized national leader in the intellectual propertield and continues to assist us in meeting the Province's legal needs.							
The state of the s								

	00024	···	
	Ministerial :	Spending	Approval (over \$5,000)
Dapat	riment: <u>Communities, Culture and Herit</u>	egs	
yte:			
<i>.</i>	(3076-1007 - 1, 441)		
		Type of Go	ode/Service
Please	e indicate the following with an "X":		•
a	Safety & Security/Medical	X	Operational Requirement
3	Satisfaction of Pre-Existing Lagal Oblig	gations D	Grant/Subsidy
3	Compelling Business Case	ū	Other
lager	iption of Goods/Services to be Purchase	diDenasta a	Complete he Provided
		-	r Grant to be Provided: ely in intellectual property and technology law and have
ntad)	relected repeatedly as Canada's leading i	intellectual o	reporty firm in numerous Canadian and international behalf of CCH to provide expert advice regarding iP
alua :	of Goods/Service/Program Costs: \$	100,000	
	ogram Funding:		MARKINE MARKET M
	Total cost of program: \$	100,000_	
	• •	26,200 _	
		73,800	
	Remaining Costs: \$	ra;eeu	<u> </u>
Inhar	rting Reasons: (If you require additional s		ershould not recognize annuals
		•	cialized expert opinion and advice in addition to that
	in within the civil service.	i infinia she	
ailabi			
ailabi			
allabi	tions of Not Spending funds:		
allabi	tions of Not Spending funds:		
allabi	tions of Not Spending funds:		•
allabi	tions of Not Spending funds:		
allabi	tions of Not Spending funds: 14(1)		
plical	14(1)		
plicat	tions of Not Spending funds: 14(1) ment Method (if applicable):		ling Offer

Deputy Mathter

Executive Director

00023

Payment of Non-Compliant Invoice Authorization Form

Profession to the service of the ser

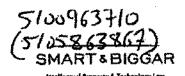
•	 	

To be completed by Department staff

(This section is mandatory) Please provide the reason that the procurement process was <u>not</u> followed (attach additional sheets if necessary):

This firm was retained pursuant to the Department of Justice's private law firm retainer policy to deal with copyright and trademark issues beyond our expertise and experience. At the time the firm was retained, the full extent of services to be required in the future was not known and their involvement in solution building has continued to be required. The firm is a nationally recognized national leader in the intellectual property law field and continues to assist us in meeting the Province's legal needs.

00028 35 Metcalfe Street Suite 900, PO Box 2999 Station D, Ottawa ON KIP 3Y6 Canada Tel. 613,232.2486 | Fax 613.232.8440 ottawa@smart-biggar.ca



53103-1 S.20(1)

Invoice No. S 1748521 December 31, 2011 HST NO. 122086242

The Province of Nova Scotia Nova Scotia, Department of Justice Legal Services Division 5151 Terminal Road, 4th Floor P.O. Box 7 Halifax, Nova Scotia B3J 2L6, Canada

6 SK

Re: Province of Nova Scotia - Bluenose II - Request for Opinion Your Ref: 10-2062

FOR SERVICES RENDERED FOR THE PERIOD ending December 31, 2011. Please see the attached	9		HST
printout for details.		\$1,500.00	\$225.00
Travel expenses for S.20(1) to Halifax October 4, 2011	on	\$1,624.60	\$243.69
NET	TOTAL	\$3,124.60	
HST	TOTAL	\$468.69	
	TOTAL	\$3,593.29	•
3.20(1) 2.3hrs @ S.20(1) /hr 3.20(1) 1.2hrs @ S.20(1) /hr 3.20(1) 0.5hrs @ S.20(1) /hr	Files	manumomen and the sector of	
5500 DPO NUMBER 4 1 0 2 37 / 4 4 6 COST CENTER 5 5 0 1 4 0 1 0 6 5 1 8 00 ORDER NUMBER APPROVED FOR BATHENT AUDIT RETURN TO VENDOR: SLIPPLEMENT / 10 0 / 1 4 9 17 15	A CONTRACTOR OF THE CONTRACTOR	15:02)24699	7

ALL AMOUNTS ARE EXPRESSED IN CANADIAN DOLLARS

S.16 (1) and S.20(1)

· (5/05937591

SMART & BIGGAR

55 Metcaife Street Suite 900, PO Box 2999 Station D. Ottawa ON KIP 5Y6 Canada Tel. 613.232.2486 | Fax 613.232.8440 ottawa@smart-biggat.ca

53103-4 S.20(1) .

Invoice No. S 181581: October 31, 2012 HST NO. 122086242

The Province of Nova Scotia Nova Scotia, Department of Justice Legal Services Division 5151 Terminal Road, 4th Floor P.O. Box 7 Halifax, Nova Scotia B3J 2L6, Canada

Re: Joan Elizabeth Roue et al v.
Her Majesty the Queen in right of the Province of Nova Scotia et al
Court File No. 407754

FOR SERVICES RENDERED for the period ending October 31, 2012. For complete details, please see the attached printout.

\$22,500.00 \$3,375.00

service charges re: telephone; facsimile; courier

\$420.95

\$63.14

HST

NET TOTAL \$22,920.95

HST TOTAL - \$3,438.14

TOTAL \$26,359.09

Finance - CSNJ JAN 11 2012

S.20(1) S.20(1

0.2 hrs @

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hr 550400 6518

10014975

ALL AMOUNTS ARE EXPRESSED IN CANADIAN DOLLARS

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	Mini	sterial Spend	ing A	Approval (over \$5,000)
Depa	rtment: Communities, Culture	and Heritage		
yte:	<u> </u>			
- 		Type	of Goo	oda/Service
Pleas	e indicate the following with an			
1	Safety & Security/Medical		X	Operational Requirement
3	Satisfaction of Pre-Existing L	egal Obligations		Grant/Subsidy
2	Compalling Business Case		ø	Other
een man	selected repeatedly as Canada's	rm practicing exc : leading intellect	iuslye ual pri	Grant to be Provided; ily in intellectual property and technology law and har roperty firm in numerous Canadian and international behalf of CCH to provide expert advice regarding iP
alue	of Goods/Service/Program Cos	ts: \$100,	000	
or Pr	ogram Funding:			
	Total cost of program:	\$100	,000	
	Cost incurred to Date:	\$ 26,	200 _	BANKEPPINE MINIMA
)	Remaining Costs:	\$ 73,1	30ō	
/allát	ies related to Bluenose II are co pie within the civil service. Itions of Not Spanding funds:	mplex and require	spec	cinitzed expert opinion and advice in addition to that
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ocura	ment Method (if applicable):			
curi	ement Method (if applicable): © Tender	E :	Standi	ing Offer
ocura			Standi	ing Offer
	O Tender		Standi	Ing Offer Approved By:



To:

Vendor No:

10014975

SMART & BIGGAR * PO BOX 2999 STN D **AWATTO**

ON KIP 5Y6 CA

PO Date:

4102372055

May 23, 2012

Outline Agraement Number:

Tender Number;

PO Number:

RENDER SEPARATE INVOICE FOR EACH ORDER.

All invoices, packing slips and bills of lading must show purchase order number, consignee and destination.

Invoice To:

Archives, Museums and Libraries Executive Director's office 1747 Summer Street Halifax, NS B3H 3A6

Pay Terms:

Payable Immediately

Delivery To: Communities, Culture& Heritage Archives, Museums & Libraries

Executive Director's office 1747 Summer Street

Halifax

B3H 3A6 CA NS.

Delivery Terms:

Delivery Date: May 23, 2012

item Mai	orial Description	PO Order Qty Unit	Order Price Per Unit	Price Ext	ended Price
0001	Legal opinion-Bluenoself	1 LE	1 LE	\$3,618.48	\$3,618.48
0010	Legal opinion-Bluenose II	1 EA		\$3,618.48	\$3,618.48
Totals:	Harmonized Sales Tax: \$542.	.77	······································	\$4,1	61.25 CAD

To:

Vendor No:

10014975

SMART & BIGGAR PO BOX 2999 STN D

AWATTO

ON K1P 5Y6

~a

PO Number:

4102372055

PO Date:

May 23, 2012

Outline Agreement Number:

Tender Number:

For Staff Use Only

SAP Requisition Number:

Project#:

Our Reference:

Buyer:

Pam Dunbar

P. 902-424-6478

F: 902-424-6478

E:

	Ministerial Spend	ding /	Approval (over	\$5,000)
Department: <u>Commun</u>	ities, Culture and Heritage			
)te: Novembe	r 21, 2011	·······		
**		of Go	ods/Service	
Please indicate the folion Safety & Securit	_	x	Operational Rec	wirement
•	Pre-Existing Legal Obligations	•••	Grant/Subaidy	
Compelling Bus		D	Other	
			Court to be Secular	Le de
<u>-</u>	ervices to be Purchased/Prog			roperty and technology law and have
een selected repeated!	ly as Canada's leading inteller an retained by the Dept of Jue	tual or	operty firm in num	isrous Canadian and international provide expert advice regarding IP
alue of Goods/Service	Program Costs: \$100	,600		
or Program Funding:				
Total cost of pro	ogram: \$19	0,000		
Cost Incurred to	Date: \$26	,200 _		
Remaining Costs	e: \$73	,80e <u> </u>		
•• •	you require additional space	-		
rajiable within the civil		ite aber	Hanzed expert obs	nion and advice in addition to that
epilications of Not Spen	iding funds:			
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\ 14				•
<i>)</i> . T	\ ' /			
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ocurement Method (If a	rpplicable):			
O Tender	(3 Stand	ing Offer	
X Other	ALTP 4 (sole source)		·	· · · · · · · · · · · · · · · · · · ·
proved By:	Approved By:	<u> </u>		Approved By:
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But the a	ILAA	E	L.	(a) (111 -)
Executive Direct	lor AXX	<i></i>	and the second	: Minister
	İ	Deputy A	pontry	

55 Metcalfe Street Suite 900, PO Boz 2999 Station D, Ottawa ON KIP SYS Canada Fel. 611.232.2486 | Fax 613.232.8440 ottawa@smart-biggac.ca

5/0/00/606

53103-1 S.20(1) ·

Dept. of JUL 1 2 2012

Invoice No. June 30, 2012 HST NO. 122086242

S 17883

Justice. The Province of Nova Scotia Nova Scotia, Department of Justice Legal Services Division 5151 Terminal Road, 4th Floor P.O. Box 7 Halifax, Nova Scotia B3J 2L6, Canada

Attn: Mr. Edward Gores

Re: Province of Nova Scotia - Bluenose II - Request for Opinion Your Ref: 10-2052

HST FOR SERVICES RENDERED FOR THE PERIOD ending June 30, 2012. Please see the attached print out for details. \$300.00 \$45.00 Payment of Gowlings invoice 17449872 \$735.36 \$110.30 Payment of Gowlings invoice 17473016 \$201.85 \$30.28

NET TOTAL \$1,237.21

HST TOTAL \$185.58

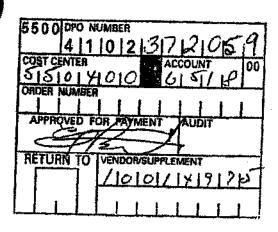
TOTAL

\$1,422.79

S.20(1)

5001065781

; tea



ALL AMOUNTS ARE EXPRESSED IN CANADIAN DOLLARS

S.16(1) and S.20(1)



Official Purchase Order

To:

Vendor No:

10014975

SMART & BIGGAR PO BOX 2999 STN D OTTAWA ON KIP 5Y6 CA PO Number:

4102372059

PO Date:

July 25, 2012

Outline Agreement Number:

Tender Number:

RENDER SEPARATE INVOICE FOR EACH ORDER.

All invoices, packing slips and bills of lading must show purchase order number, consignee and destination.

Invoice To:

Archives, Museums and Libraries Executive Director's office 1747 Summer Street Halifax, NS B3H 3A6 Pay Terms:

Payable Immediately

Delivery To: Communities, Culture& Heritage

Archives, Museums & Libraries Executive Director's office 1747 Summer Street

Halifax

NS B3H 3A6 CA

Delivery Terms:

Delivery Date: June 30, 2012

item Mat	erial Description	PO Order City Unit	Order Frice Per Unit	Price Ext	ended Price
OQÕ1	Legal opinion-Bluenosek	1 LE	1 LE	\$1,237.21	\$1,237.21
0010	Legal opinion-Bluenose (1 EA		\$1,237.21	\$1,237.21
Totals:	Harmonized Sales Tax: \$185	.58	<u> </u>	\$1,	422.79 CAD

OTTAWA -

Vendor No:

10014975

PO Number:

4102372059

PO Date:

July 25, 2012

Outline Agreement Number:

Tender Number:

ON KIP 5Y6

SMART & BIGGAR

PO BOX 2999 STN D

For Staff Use Only

SAP Requisition Number:

Project # :

Our Reference:

Buyer:

Pam Dunbar

P: 902-424-6478

F: 902-424-6478

E:



Department of Justice Legal Services Division

4th Floor - 5151 Terminal Road PO Box 7 Halifax NS B3J 2L6

Phone: Fax: E-mail:

902-424-3297 902-424-1730 gorezea@gov.ns.ca

Edward A. Gores, Q.C. Senior Counsel

File No.: 11-1252

SENT VIA COURIER:

July 16, 2012

Rhonda M. Walker
Director, Corporate Strategy and Operations
Department of Communities, Culture and Heritage
6th Floor - 1800 Argyle Street
Halifax, NS B3J 2R5

Dear Ms. Walker:

Re: Copyright - Bluenose II

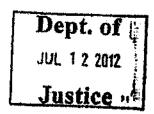
Enclosed, please find three invoices for payment for services rendered for the period March 1, 2012 to June 30, 2012 in relation to our Request for Opinion regarding Copyright - Bluenose II:

- Smart & Biggar Invoice No. S 1788363 dated June 30, 2012 in the amount of \$1,422.79;
- ALREADY PAID BY SMART & BIGGAR Gowling Lafteur Henderson LLP Invoice No. 17449872 dated March 29, 2012 in the amount of \$830.96; and
- ALREADY PAID BY SMART & BIGGAR Gowling Lafleur Henderson LLP invoice No. 17473016 dated April 30, 2012 in the amount of \$228.09.

Yours touly.

Edward A. Gores, Q.C.

EAG/sek Encls.



SMART & BIGGAR

isselfectual Amperty & Technology Law

55 Metcalfe Street Sulte 900 PO Box 2999 Station D Ottawa ON KIP 576 Canada Tel. 613.232.2486 | Fax 613.232.8440

www.smart-biggar.ca

S.20(1)

Our Ref: 53103-1

July 4, 2012

Mr. Edward Gores
The Province of Nova Scotia
Nova Scotia, Department of Justice
Legal Services Division
5151 Terminal Road, 4th Floor
P.O. Box 7
Halifax, NS B3J 2L6

Dear Ed:

Re: Province of Nova Scotia - Bluenose II Request for Opinion Your Ref: 03-1263

Please find enclosed our invoice for services rendered in the above-identified matter for the period ending June 30, 2012. As you will note, there were additional fees from Gowlings of \$937.21 S.16(1) and S.20(1)

In accordance with a previous request from your accounts department, also attached is a copy of the invoices from Gowlings paid by us. As you will note, Gowlings applied a \$500 discount on their invoices.

Please let us know if you have any questions or concerns regarding the foregoing.

Yours very truly,

S.20(1)

Ottawa | Toronto | Montreal | Vancouver



a region) opposit granted granted solven solven critical granted publical appears (univers

Smart & Biggar ATTN: S.20(1) Partner Barristers & Solicitors P.O. Box 2999, Station D. 55 Metcalfe St., Suite 900 Ottawa ON K1P 5Y6 Dept. of
JUL 1 2 2012
Justice

March 29, 2012 INVOICE: 17449872

COPY.

Our Matter;

07387622 / 87409

RE:

Province of Nova Scotin ets. Roue - copyright infringement

TO OUR FEE:

Fees for Professional Services	\$1,233.00
Ádjustment	(500.00)
Total Fees for Professional Services	733.00
HST on Fees	95.29
Total Fees and Taxes	828.29

DISBURSEMENTS:

Disbursements (Taxable)		2.36
HST on Disbursements		0.31
Total Disbursements and Taxes	•	2.67

TOTAL INVOICE BALANCE:

Total for thi	s Invoice
[Tota	l HST: \$95.60 j
l'iense remi	t total invoice beinge due:

	830.96
Mamarilan Battana	

PAID

GOWLING LAFLEUR HENDERSON LLP

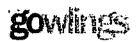
S.20(1)

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orrors and ordinions encluded OST/HST: 13838 4841 FF

Gowing Latieur Herderson LLP - Langues - Palent and Trado-mark Agents
160 Digm States - Saint 2870 - 1 march - Ontono, RLP 103 - County - T610 213 1781 - F610 5617 5669 - Rowings.com

paga 1, 48 3



March 29, 2012 INVOICE: 17449872

Smart & Riggar Our Matter: 07587622 Province of Nova Scotia ats. Rous - copyright infringement

"Fotal Taxable Disbursements

PROFESSIONAL SERVICES

S.16(1) and S.20(1) 06/03/2012

07/03/2012

08/03/2012

Prestage

Fees for Professional Services	\$1,233.00
Adjustment	\$(500.00)
Tutal Fees for Professional Services	<u>\$733.00</u>
•	
DISBURSEMENTS	
Taxable Costs	
Copying	\$1.50
Scanning Service	\$0.25

\$0.61

\$2.36



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Smart & Biggar AT'1'N: S.20(1) Purtner Burristers & Solicitors P.O. Box 2999, Station D. 55 Metcalfe St., Suite 900

Ottawa ON K1P 5Y6

Dept. of
JUL 1 2 2017
Justice

April 30, 2012 INVOICE: 17473016

COPY

228.09

5228.09

Our Matter:

07387622 / 87409

RE:

Province of Nova Scotia ats. Rose - copyright infringement

TO OUR FEE:

Fees for Professional Services	\$180.00
HST on Fees	23.40
Total Fees and Taxes	203.40

DISBURSEMENTS:

Disbursements (Taxable)	21.85
HST on Disbursements	2,84
Total Disbursements and Taxes	24.69

TOTAL INVOICE BALANCE:

Total for this Invoice	
[Total HST: \$26.24]	
Piesse remit total invoice balance due:	In Canadian Dollars

PAID

S.20(1)

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GST/HST: 11936 4511 RT

Gowling Latteur Henderson LLP - Lawyers - Patent and Tradormark Agents
1981 Light Lawyer Serve 1986 Ustram Unitario Half 1833 Countie TG13-233 1781-FG13-SAU-SBRM gowlings.com

neze 1 of 3



April 30, 2012 INVOICE: 17473016

Smart & Biggar Our Matter: 07387622 Province of Nova Scotia ats. Roue - copyright infringement

PROFESSIONAL SERVICES

28/03/2013 S.16(1) and S.20(1)

Total Fees for Professional Services \$180.60

DISBURSEMENTS

Taxable Costs

Postage \$U.61
Taxis - Local Travel \$21.24

Total Taxable Disbursuments \$21.85

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Payment of Non-Compliant Invoice Authorization Form

Printed throat Solver & Printed to a Solver & March 1984 and 1984

Procurement Services endeavors to competitively solicit tenders for goods and services in excess of \$10,000 (excluding taxes) and obtain quotes to ensure best value for purchases under \$10,000 CAO (excluding taxes). Procurement policies and procedures should be reviewed <u>prior</u> to making any purchase.

- This form is to be completed for all purchases where the purchasing process was not followed and the invoice has already been received from the vendor
- All fields on this form MUST be completed.
- in SAP the Award Type is NC. The Award Category is NCO1 for low value purchases and NCO2 for high value purchases.
- Keep this form on file for audit purposes and forward a copy to Procurement Services for high value purchases

Section A All fields are mandatons As	re france micelos informati	on <u>will be returned</u> to the requesting		
SAP Regulation Number:	is torus unsying informati	on with the rectanged to the requesting PO Creation Date:	aepartment.	
(if available)	1			
Invoice Date:	June 30, 2012	Purchase Amount	\$1237.21	
		(excluding taxes)	•	
invoice Number(s):	S 1788363			
Brief Description of Goods	For professional service	s rendered - Request for Opinion	Copyright - Blu	enose II
or Services Purchased:	Your Ref# 10-2062			
Awarded To (vendor name):	Smart & Biggar	Have you received		
		Ministerial Approval for this purchase?	X Yes	☐ No
Requested by (Name):	Edward A. Gores	Phone Number:	424-3297	······································
Purchased by (Name):	Edward A. Gores	Phone Number:	424-3297	
Section B- Signatures			<u> </u>	
I am submitting a request for	the payment of a non-com	pliant invoice for the above-mention	ed product or se	rvice. I
I am submitting a request for understand and accept that t purchase transactions that ex CAD (excluding taxes). I have	he current procedure with ceed \$10,000 CAD (excludi attached the required back	pliant invoice for the above-mentions the Province of Nova Scotia is to obtaing laxes) and quotations on purchase up documentation (Section C), and a	in competitive (transactions ur	en de rs on ider \$10,000
I am submitting a request for understand and accept that t purchase transactions that ex CAD (excluding taxes). I have been placed with a supplier w	he current procedure with a ceed \$10,000 CAD (excluding attached the required back without following proper pro-	the Province of Nova Scotia is to obtaing laxes) and quotations on purchase up documentation (Section C), and a purement procedures.	in competitive (transactions ur icknowledge th	enders on ider \$10,000 it an order has
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I am submitting a request for understand and accept that t purchase transactions that ex CAD (excluding taxes). I have been placed with a supplier w For purchases under \$10,000 the given business area.	he current procedure with a ceed \$10,000 CAD (excluding attached the required back without following proper procedures): To be considered to the constant of t	the Province of Nova Scotia is to obtaing laxes) and quotations on purchase up documentation (Section C), and a purement procedures.	in competitive (transactions un transactions	enders on ader \$10,000 at an order has uthority for
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I am submitting a request for understand and accept that t purchase transactions that ex CAD (excluding taxes). I have been placed with a supplier w For purchases under \$10,000 the given business area.	he current procedure with a ceed \$10,000 CAD (excluding attached the required back without following proper procedures): To be considered to the constant of t	the Province of Nova Scotia is to obtaing laxes) and quotations on purchase up documentation (Section C), and accurement procedures. be signed by the supervisor or person Department/Division:	in competitive in transactions under the transactions under the transaction of the transa	enders on ider \$10,000 et an order has uthority for 5, CULTURE
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I am submitting a request for understand and accept that t purchase transactions that ex CAD (excluding taxes). I have been placed with a supplier was for purchases under \$10,000 the given business area. Name of Supervisor: Signature: For purchases over \$20,000 CO Deputy Head per Sustainable	he current procedure with a ceed \$10,000 CAD (excluding attached the required back without following proper procedures): To be a compared to the compared to t	the Province of Nova Scotia is to obtaing taxes) and quotations on purchase up documentation (Section C), and accurement procedures. be signed by the supervisor or person Department/Division: Date: Lucy 25/2012 signed by the Deputy Head or deleg	in competitive is transactions un transactions un technowledge the with signing of COMMUNITIE AND HERITAG July 25, 2012	enders on ider \$10,000 at an order has uthority for 5, CULTURE E - AML
I am submitting a request for understand and accept that t purchase transactions that ex CAD (excluding taxes). I have been placed with a supplier w For purchases under \$10,000 the given business area. Name of Supervisor: Signature:	he current procedure with a ceed \$10,000 CAD (excluding attached the required back rithout following proper procedures); To be a compared by the compared by t	the Province of Nova Scotia is to obtaing taxes) and quotations on purchase up documentation (Section C), and accurement procedures. be signed by the supervisor or person Department/Division: Date: Lift 2572012 Signed by the Deputy Head or deleged Department/Division:	in competitive is transactions un transactions un technowledge the with signing of COMMUNITIE AND HERITAG July 25, 2012	enders on ider \$10,000 at an order has uthority for 5, CULTURE E - AML



Official Purchase Order

PO Number:

4102371446

PO Date:

Feb 14, 2012

O: YOUR VENDOR NO: 10014975
SMART & BIGGAR
PO BOX 2999 STN D
OTTAWA ON KIP 3Y6

RENDER SEPARATE INVOICE FOR EACH ORDER All invoices, packing slips and bills of lading must show purchase order numbers, consignee and destination.

Invoice To:
Heritage Division
Executive Director's office
1747 Summer Street
Halifax, NS B3H 3A6

Invoice Terms:

Delivery To:

Communities, Culture& Heritage Heritage Division Executive Director's office 1747 Summer Street Halifax NS B3H 3A6 Delivery Terms:

Delivery Date: February 14, 2012

Delivery terms:

ltem	Material	Descript	ion		***************************************			
-	Order Qty	Unit	Unit Price Qty	Order Price Unit	Price Per Unit	Price Curr	Extended Price	Item Subtotal
00001		Legal se	rvices-Bluen	ose II		•		
	1	LE	1	LE	\$3,124,60	CAD	\$3,124.60	
	d Sales Tax			15%			\$468.69	
Item Subro					\$3,593.29			\$3,593.29
*** Item	partially delivered *	**						
	covers the following s	ervices:						
Item		Descr	iption					•
	Quantity Unit	Price/	Unit			E	xtended Price	
10		l_egal	services-Blu	mose II				
	1 EA	\$3,12					\$3,124.60	

Total \$3,593.29

00031 Payment of Non-Compliant Invoice Authorization Form

Procurement Services endeavors to competitively solicit tenders for goods and services in excess of \$10,000 (excluding taxes) and obtain quotes to ensure best value for purchases under \$10,000 CAD (excluding taxes). Procurement policies and procedures should be reviewed <u>prior</u> to making any purchase.

- This form is to be completed for all purchases where the purchasing process was not followed and the invoice has already been received from the vendor.
- All fields on this form MUST be completed.
- In SAP the Award Type is NC. The Award Category is NC01 for low value purchases and NC02 for high value purchases.
- Keep this form on file for audit purposes and forward a copy to Procurement Services for high value purchases

Section A	· · · · · · · · · · · · · · · · · · ·	· · · · · · · · · · · · · · · · · · ·	
All fields are mandatory. Ar	ny forms missing information	will be returned to the requesting	department.
SAP Requisition Number: (if available)		PO Creation Date:	
Invoice Date:	December 31, 2011	Purchase Amount (excluding taxes)	\$3124.60
Invoice Number(s):	\$ 1748521		
Brief Description of Goods or Services Purchased:	For professional services Your Ref# 10-2062	rendered – Request for Opinion –	Copyright - Bluenose (I
Awarded To (vendor name):	Smart & Biggar	Have you received Ministerial Approval for this purchase?	X Yes No
Requested by (Name):	Edward A. Gores	Phone Number:	424-3297
Purchased by (Name):	Edward A. Gores	Phone Number:	424-3297
Section 8- Signatures			
been placed with a supplier w	attached the required back this interest following proper proc	taxes) and quotations on purchase up documentation (Section C), and urement procedures. signed by the supervisor or personal contents of the supervisor or personal contents or	acknowledge that an order has
Name of Supervisor:	Bill Greenlaw	Department/Division:	Communities, Culture & Heritage/Archives, Museums and Libraries
Signature:	Bee Rener S	Date: 12612011	
For purchases <u>over</u> \$10,000 & Deputy Head per <u>Sustainable</u>	AD (excluding taxes): To be s Procurement Policy.	igned by the Deputy Head or deleg	rated to Acting/Assistant
Name and Title:		Department/Division:	
Signature:		Date:	

00032 Payment of Non-Compliant Invoice Authorization Form

Section C To be completed by Department staff		A 100 C 100		
(This section is mandatory) Please provide the reason that the procurement process was not followed (ottach additional sheets if necessary) This firm was retained pursuant to the Department of Justice's private law firm retainer policy to deal with copyright and trademark issues beyond our expertise and experience. At the time the firm was retained, the full extent of services to be required in the future was not known and their involvement in solution building has continued to be required. The firm is a nationally recognized national leader in the intellectual property law field and continues to assist us in meeting the Province's legal needs.				



Department of Justice Legal Services Division

4th Floor - 5151 Terminal Road PO Box 7

Halifax NS B3J 2L6

Phone: Fax: E-mail:

902-424-3297 902-424-1730 goresea@gov.ns.ca

Edward A. Gores, Q.C. Senior Counsel

File No.: 11-1252

SENT VIA COURIER:

January 26, 2012

Rhonda M. Walker
Director, Corporate Strategy and Operations
Department of Communities, Culture and Heritage
6th Floor - 1800 Argyle Street
Halifax, NS B3J 2R5

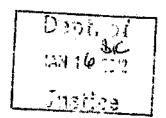
Dear Ms. Walker:

Re: Joan Elizabeth Roue and Lawrence James Roue v. John Doe, Jane Doe and All Those Persons Who Are Infringing the Plaintiff's Copyright and Moral Right in Architectural Drawings - Federal Court File No.: T-1063-11

Enclosed please find Smart & Biggar Invoice No. S 1748521 dated December 31, 2011 in the amount of \$3,593.29 for payment for services rendered for the period ending December 31, 2011 in relation to our Request for Opinion regarding Copyright - Bluenose II.

Edward A. Gores, Q.C.

EAG/sek Encl.



SMART & BIGGAR

Intellectual Property & Technology Law

55 Metcalfe Street Suite 900 PO Box 2999 Station O Ottawa ON KIP SY6 Canada Tel. 613.232,2486 | Fax 613.232,8440 www.smart-biggar.ca

S.20(1) S.20(1)@smart-biggar.ca

Our Ref: 53103-1

January 9, 2012

Mr. Edward Gores

The Province of Nova Scotia

Nova Scotia, Department of Justice

Legal Services Division

5151 Terminal Road, 4th Flgor

P.O. Box 7

Halifax, NS B3J 2L6

Dear Ed:

Re: Province of Nova Scotia - Bluenose II Request for Opinion Your Ref: 03-1263

Please find enclosed our invoice for services rendered in the above-identified matter for the period ending December 31, 2011. Please note that the attached invoice includes S.20(1) travel expenses for the trip to Halifax back in October. We have also written down the invoice from the time actually spent of this matter.

Please let us know if you have any questions or concerns regarding the foregoing.

Yours very truly,

S.20(1)

\$.20(1):

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				shluoses (ore	40,000
Dep	artment: <u>Communities, Culture</u>	and Heritage			-
)"	: November 21, 2811		·		-
(- 		Type	of Gor	ods/Service	
Plea	se indicate the following with an	"X":			
0	Safety & Security/Medical		X	Operational Re	quirement
G	Satisfaction of Pre-Existing L	egai Obligations	a	Grant/Subsidy	•
3	Compelling Business Case		•	Other	
)450	ription of Goods/Services to be	Purchased/Progra	im or	Grant to be Provi	lded:
ini. Jacu	i selected repestedly as Canada's	i leading inteliect	maj de	operty firm in nu	property and technology law and have merous Canadian and international provide expert advice regarding iP
	e of Goods/Service/Program Cos	tm: \$100,	000		
or F	Program Funding:				·
	Total cost of program;	\$100,	,000 _		*
	Cost incurred to Date:	\$ 26,	200 _		
•	Remaining Costs:	\$ 73,0	160		
P iss valis	ations of Not Spending funds;				inlon and advice in addition to that
ocur	ement Mathod (if applicable):		····		
	□ Tender	0 (Standi	ng Offer	
	X OtherALTP 4 (so	le source)			·
prov	ed By:	Approved By:	/		Approved By:
2	e hear	SAL	بم	des_	Ed White
	Executive Director	De	puty Mi	Alster /	: Minister

- 55 Watcalfe Street Suite 900, PO Box 2999 Station D, Ottawa ON KIP SY6 Canada Tel. 613.232.2484 | Fax 613.232.8440 ottawa@smart-biggar.ca



53103-1 S.20(1)

Invoice No. S 17750E April 30, 2012 HST NO. 122086242

The Province of Nova Scotia Nova Scotia, Department of Justice Legal Services Division 5151 Terminal Road, 4th Floor P.O. Box 7 Halifax, Nova Scotia B3J 2L6, Canada

Attn: Mr. Edward Gores

Re: Frovince of Nova Scotia - Bluenose II - Request for Opinion Your Ref: 10-2062

FOR SERVICES RENDERED				HST
April 30, 2012. Please for details.	see the att	ached printout	\$2,250.00	\$337.50
Paid invoice from Gowl	ings for sea	rches.	\$1,356.00	\$203.40
service charges re: te	lephone		\$12.48	\$1.87
•		NET TOTAL	\$3,618.48	
		HST TOTAL	\$542.77	
S 20/1)	S.20(1)	TOTAL	\$4,161.25	

5.20(1) 4.3hrs @ /hr 0.8hrs @ /hr 0.9hrs @

5001052098

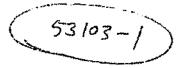
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]			<u> </u>	<u> </u>	L	1		_1	L	

ALL AMOUNTS ARE EXPRESSED IN CANADIAN DOLLARS

S.16(1) and S.20(1)

S.16(1) and S.20(1)





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Smart & Biggar S.20(1) Partner Barristers & Solicitors P.O. Bux 2999, Station D. S5 Metcalle St., Suite 900 Ottawa ON K1P 5Y6 APPROVE OR PAYMENT
INITIALS OF CHECKE AS 2 8 OATE MAR 2 1 2017
DISB. SLIP MADE GOT
INFLECTOR 1350
OFFICE CHARGE

December 31, 2011 INVOICE: 17406844

Our Mutter:

07387622 / 87409

RE:

Province of Nova Scotia ats. Roue - copyright intringement

TO OUR FEE:

Fees for Professional Services	\$1,570.00
Adjustment	(370.00)
Total Fees for Professional Services	1,200.00
HST on Fees	156,00
Total Fees and Taxes	1,356.00

DISBURSICMENTS:

Disbursements (Taxable)	26.34
HST on Disbursements	3.42
Total Dishursements and Taxes	29.76

TOTAL INVOICE BALANCE:

Total for this invoice
[Tutal HST: \$159.42]
Please remit total invoice balance due:

1,385.76

In Canadian Dellars

\$1,385,76

3.20(1)

terms, our upon receipt Interest at the role of 1.3% per annum will be charged on all amount, out part within one much from the tinte of this livery of

> 982/319 anomemo bas arove 17 173 0581 2781/723

Gowling Latieur Flenderson LLP -Lawyers Patent and Trade-mark Agents LTM Clyst Street -Sure: 2004 Ontaxis -Ontario-InLP 101 Control - TEXT 2015-1731 FOLT (1837-1947) gowlings.com page 1 of 3

Payment of Non-Compliant Invoice Authorization Form

Procurement Services endeavors to competitively solicit tenders for goods and services in excess of \$10,000 (excluding taxes) and obtain quotes to ensure best value for purchases under \$10,000 CAD (excluding taxes). Procurement policies and procedures should be reviewed <u>prior</u> to making any purchase.

- This form is to be completed for all purchases where the purchasing process was not followed and the invoice has already been received from the vendor
- All fields on this form MUST be completed.
- In SAP the Award Type is NC. The Award Category is NCOI for low value purchases and NCOI for high value purchases.
- Keep this form on file for audit purposes and forward a copy to Procurement Services for high value purchases

Section A		<u> </u>	· · · · · · · · · · · · · · · · · · ·			
All fields are mondatory. An	y forms missing information <u>w</u>	l <mark>il be returned</mark> to the requesting	department.			
SAP Requisition Number:	1	PO Creation Date:				
(if available)	1					
invoice Date:	April 30, 2012	Purchase Amount	\$3,618.48			
		(excluding taxes)				
Invoice Number(s):	5 1775082					
Brief Description of Goods	For professional services ren	dered – Request for Opinion				
or Services Purchased:	- Copyright - Bluenose II	Ref# 10-2062				
Awarded To (vendor name):		Have you received				
	Smart & Beggar	Ministerial Approval for this purchase?	X Yes No			
Requested by (Name):	Edward A. Gores	Phone Number:	424-3297			
Purchased by (Name):	Edward A. Gores	Phone Number:	424-3297			
Section 8- Signatures		- ************************************				
I am submitting a request for the payment of a non-compliant Invoice for the above-mentioned product or service. I understand and accept that the current procedure with the Province of Nova Scotia is to obtain competitive tenders on purchase transactions that exceed \$10,000 CAD (excluding taxes) and quotations on purchase transactions under \$10,000 CAD (excluding taxes). I have attached the required back up documentation (Section C), and acknowledge that an order has been placed with a supplier without following proper procurement procedures. For purchases under \$10,000 CAD (excluding taxes): To be signed by the supervisor or person with signing authority for the given business area.						
Name of Supervisor:	Bill Green law	Oepartment/Division:	Communities, Culture & Heritage/Archives, Museums and Libraries			
Signature:	Bu keals	Date: CC/T - AML				
For purchases over \$10,000 CAD (excluding taxes): To be signed by the Deputy Head or delegated to Acting/Assistant						
Deputy Head per <u>Sustainable Procurement Policy.</u>						
Name and Title:		Department/Division:				
Signature:		Date:				
Please check one of the following Deputy Head	ng:	ad Acting De	outv Head			

17:43 .] - 18: 18: 1 - 2

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Payment of Non-Compliant Invoice Authorization Form

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To be completed by Department staff

(This section is mandatory) Please provide the reason that the procurement process was <u>not</u> followed (attach additional sheets if necessary)

This firm was retained pursuant to the Department of Justice's private law firm retainer policy to deal with copyright and trademark issues beyond our expertise and experience. At the time the firm was retained, the full extent of services to be required in the future was not known and their involvement in solution building has continued to be required. The firm is a nationally recognized national leader in the intellectual property law field and continues to assist us in meeting the Province's legal needs.