

1741 Brunswick 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 Biggar 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

00001
 55 Metcalfe Street Suite 900, PO Box 2999 Station D, Ottawa ON K1P 5Y6 Canada
 Tel. 613.232.2486 | Fax 613.232.8440 ottawa@smart-biggar.ca

3100723073
 (5105825986)
SMART & BIGGAR
 Intellectual Property & Technology Law

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.

HST

	\$7,200.00	\$1,080.00
NET TOTAL	\$7,200.00	
HST TOTAL	\$1,080.00	
TOTAL	\$8,280.00	

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

5000984598

BUSINESS AREA	DPO NUMBER
630451010212916183	
COST CENTER	ACCOUNT
5151002	65111
ORDER NUMBER	
91317101211518	
APPROVED FOR PAYMENT	
<i>Fred Curtis</i>	
RETURN TO	VENDOR SUPPLEMENT
	LICIA1149175

COPY

ALL AMOUNTS ARE EXPRESSED IN CANADIAN DOLLARS

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

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

00004



Official Purchase Order

PO Number: 4500229683
PO Date: Aug 30, 2011

TO: YOUR VENDOR NO: 10014975
 SMART & BIGGAR
 PO BOX 2999 STN D
 OTTAWA ON K1P 5Y6

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

<u>Invoice To:</u>	<u>Invoice Terms:</u>
--------------------	-----------------------

<u>Delivery To:</u> Dept. of Tourism & Culture 1800 Argyle St. Halifax NS B3J 2R7	<u>Delivery Terms:</u> <u>Delivery Date: August 30, 2011</u> Delivery terms:
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Services were procured by Dept of Justice for our dept. Ministerial spending approval obtained.

Item	Material Order Qty	Description Unit	Unit Price	Order Price Unit	Price Per Unit	Price Curr	Extended Price	Item Subtotal
00001	1	Legal Services Bluenose II Jul/11 LE	1	LE	\$7,200.00	CAD	\$7,200.00	
		Harmonized Sales Tax			15 %		\$1,080.00	
		Item Subtotal			\$8,280.00			\$8,280.00
*** Item partially delivered ***								

The item covers the following services:

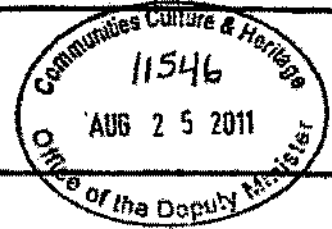
Item	Quantity	Unit	Description Price/Unit	Extended Price
10	1	EA	Legal Services Bluenose II Jul/11 \$7,200.00	\$7,200.00
				Total \$8,280.00

00005

Ministerial Spending Approval (over \$5,000)

Department: Communities, Culture and Heritage

Date: August 24, 2011



Type of Goods/Service

Please indicate the following with an "X":

- Safety & Security/Medical
- Satisfaction of Pre-Existing Legal Obligations
- Compelling Business Case
- Operational Requirement
- Grant/Subsidy
- Other

Description of Goods/Services to be Purchased/Program or Grant to be Provided:

Smart & Biggar is Canada's largest firm practicing exclusively in intellectual property and technology law and have been selected repeatedly as Canada's leading intellectual property firm in numerous Canadian and international surveys. They have been retained by the Dept of Justice on behalf of CCH to provide expert advice regarding IP issues related to Bluenose II.

Value of Goods/Service/Program Costs: \$ 15,000

For Program Funding:

Total cost of program: \$ _____

Cost Incurred to Date: \$ _____

Remaining Costs: \$ _____

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:

S.14(1)

Procurement Method (if applicable):

- Tender
- Standing Offer
- Other ALTP 4 (sole source)

Approved By:

Executive Director

Approved By:

Deputy Minister

Approved By:

Minister

00006
 1000 Street Suite 900, PO Box 2999 Station D, Ottawa ON K1P 5Y6 Canada
 Tel. 613.232.2486 | Fax 613.232.8440 ottawa@smart-biggar.ca

(5105825187)
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

500098.4595

DOCUMENT # 45002291658			
DEPT 5500	COST CENTER 550002	GL NUMBER 651100	
TERMS	TAX CODE	TAX CODE	AMOUNT
RETURN TO	VENUE # 10014975		
<input type="checkbox"/>	SUPPLEMENT #		
PURCHASE ORDER # 45002291658			
APPROVED FOR PAYMENT		CR'D BY	
<i>Jerry R. [Signature]</i>			

COPIES

ALL AMOUNTS ARE EXPRESSED IN CANADIAN DOLLARS

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

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

00009



Official Purchase Order

PO Number: 4500229658
PO Date: Aug 30, 2011

TO: YOUR VENDOR NO: 10014975
 SMART & BIGGAR
 PO BOX 2999 STN D
 OTTAWA ON K1P 5Y6

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

<u>Invoice To:</u>	<u>Invoice Terms:</u>
--------------------	-----------------------

<u>Delivery To:</u> Dept. of Tourism & Culture 1800 Argyle St. Halifax NS B3J 2R7	<u>Delivery Terms:</u> <u>Delivery Date: August 30, 2011</u> Delivery terms:
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Services were procured by Dept of Justice for our dept. Ministerial spending approval obtained.

Item	Material Order Qty	Description Unit	Unit Price Qty	Order Price Unit	Price Per Unit	Price Curr	Extended Price	Item Subtotal
00001	1	Legal Services Bluenose II Jun/11	LE 1	LE	\$7,500.00	CAD	\$7,500.00	
		Harmonized Sales Tax			15 %		\$1,125.00	
		Item Subtotal			\$8,625.00			\$8,625.00

The item covers the following services:

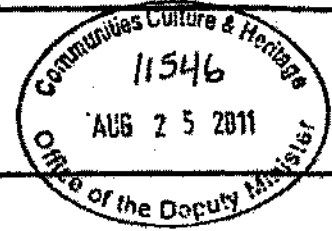
Item	Quantity	Unit	Description	Price/Unit	Extended Price
10	1	EA	Legal Services - Bluenose II - Jun/11	\$7,500.00	\$7,500.00
					Total \$8,625.00

00010

Ministerial Spending Approval (over \$5,000)

Department: Communities, Culture and Heritage

Date: August 24, 2011



Type of Goods/Service

Please indicate the following with an "X":

- Safety & Security/Medical
- Satisfaction of Pre-Existing Legal Obligations
- Compelling Business Case
- Operational Requirement
- Grant/Subsidy
- Other

Description of Goods/Services to be Purchased/Program or Grant to be Provided:

Smart & Biggar is Canada's largest firm practicing exclusively in intellectual property and technology law and have been selected repeatedly as Canada's leading intellectual property firm in numerous Canadian and international surveys. They have been retained by the Dept of Justice on behalf of CCH to provide expert advice regarding IP issues related to Bluenose II.

Value of Goods/Service/Program Costs: \$ 15,000

For Program Funding:

Total cost of program: \$ _____

Cost incurred to Date: \$ _____

Remaining Costs: \$ _____

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:

S.14(1)

Procurement Method (if applicable):

- Tender
- Standing Offer
- Other ALTP 4 (sole source)

Approved By:
Executive Director

Approved By:
Deputy Minister

Approved By:
Minister

53103-1 S.20(1)

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

Finance - CSU
 OCT 19 2011

Dept. of Justice
 SEP 13 2011
 Legal Services

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

	HST
FOR SERVICES RENDERED FOR THE PERIOD ending August 31, 2011. Please see the attached printout for details.	\$11,500.00 \$1,725.00
service charges re: telephone	\$22.10 \$3.32
NET TOTAL	\$11,522.10
HST TOTAL	\$1,728.32
TOTAL	\$13,250.42

S.20(1) 12.4hrs @ S.20(1) /hr
 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

5000995145

BUSINESS AREA	DPO NUMBER
55004110123171181910	
COST CENTER	ACCOUNT
55700021	61511100
ORDER NUMBER	
91317101211518	
APPROVED FOR PAYMENT	
<i>Ford R. ...</i>	
RETURN TO	VENDOR SUPPLEMENT
	101011491715

COPY

ALL AMOUNTS ARE EXPRESSED IN CANADIAN DOLLARS

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

4 pages redacted

00016



Official Purchase Order

PO Number: 4102371890
PO Date: Oct 12, 2011

TO: YOUR VENDOR NO: 10014975
 SMART & BIGGAR
 PO BOX 2999 STN D
 OTTAWA ON K1P 5Y6

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:

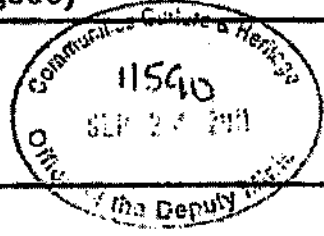
Item	Material Order Qty	Description Unit	Unit Price Qty	Order Price Unit	Price Per Unit	Price Curr	Extended Price	Item Subtotal
00001	1	Legal Services Bluenose II Aug 31/11 LE	1	LE	\$11,522.10	CAD	\$11,522.10	
		Harmonized Sales Tax			15 %		\$1,728.32	
		Item Subtotal			\$13,250.42			\$13,250.42
*** Item partially delivered ***								

The item covers the following services:

Item	Quantity	Unit	Description	Price/Unit	Extended Price
10	1	EA	Legal Services Bluenose II Aug 31/11	\$11,522.10	\$11,522.10
					Total \$13,250.42

00017

Ministerial Spending Approval (over \$5,000)



Department: Communities, Culture and Heritage

Date: September 27, 2011

Type of Goods/Service

Please indicate the following with an "X":

- | | |
|---|---|
| <input type="checkbox"/> Safety & Security/Medical | <input checked="" type="checkbox"/> Operational Requirement |
| <input type="checkbox"/> Satisfaction of Pre-Existing Legal Obligations | <input type="checkbox"/> Grant/Subsidy |
| <input type="checkbox"/> Compelling Business Case | <input type="checkbox"/> Other |

Description of Goods/Services to be Purchased/Program or Grant to be Provided:

Smart & Biggar is Canada's largest firm practicing exclusively in intellectual property and technology law and have been selected repeatedly as Canada's leading intellectual property firm in numerous Canadian and international surveys. They have been retained by the Dept of Justice on behalf of CCH to provide expert advice regarding IP issues related to Bluenose II.

Value of Goods/Service/Program Costs: \$ 12,000

For Program Funding:

Total cost of program: \$ _____

Cost Incurred to Date: \$ _____

Remaining Costs: \$ _____

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:

S.14(1)

Procurement Method (if applicable):

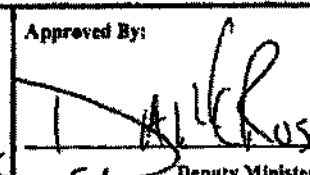
- Tender Standing Offer
- Other ALTP 4 (sole source)

Approved By:



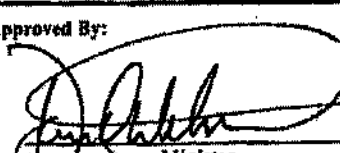
Executive Director

Approved By:



Deputy Minister

Approved By:

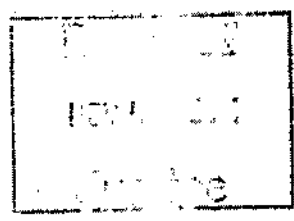


Minister
OCT 11 2011

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

		HST
FOR SERVICES RENDERED FOR THE PERIOD ENDING October 31, 2011. Please see the printout for details.	\$18,000.00	\$2,700.00
travel expenses	\$1,494.18	\$224.13
service charges re: computer charges; telephone; photocopying	\$130.12	\$19.52
	NET TOTAL	\$19,624.30
	HST TOTAL	\$2,943.65
	TOTAL	\$22,567.95

Finance - CSU
MAR 8 2012

S.20(1) 27.9hrs @ S.20(1) /hr
 S.20(1) 13.4hrs @ S.20(1) /hr
 S.20(1) 3.4hrs @ S.20(1) /hr
 S.20(1) .3hrs @ S.20(1) /hr

5001031662

5500	DPO NUMBER
	4110123711450
COST CENTER	ACCOUNT
51014000	6511800
ORDER NUMBER	
APPROVED FOR PAYMENT	
RETURN TO	VENDOR/SUPPLEMENT
	110101149775

COPIES

ALL AMOUNTS ARE EXPRESSED IN CANADIAN DOLLARS

00019



Official Purchase Order

PO Number: 4102371450
PO Date: Mar 05, 2012

TO: YOUR VENDOR NO: 10014975
 SMART & BIGGAR
 PO BOX 2999 STN D
 OTTAWA ON K1P 5Y6

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

<p><u>Invoice To:</u> Heritage Division Executive Director's office 1747 Summer Street Halifax, NS B3H 3A6</p>	<p><u>Invoice Terms:</u></p>
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<p><u>Delivery To:</u> Communities, Culture & Heritage Heritage Division Executive Director's office 1747 Summer Street Halifax NS B3H 3A6</p>	<p><u>Delivery Terms:</u> <u>Delivery Date: March 05, 2012</u> Delivery terms:</p>
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Item	Material Order Qty	Description Unit	Unit Price Qty	Order Price Unit	Price Per Unit	Price Curr	Extended Price	Item Subtotal
00001	1	Legal services-copyright opinion LE	1	LE	\$19,624.30	CAD	\$19,624.30	
		Harmonized Sales Tax		15%			\$2,943.65	
		Item Subtotal			\$22,567.95			\$22,567.95
*** Item partially delivered ***								

The item covers the following services:

Item	Quantity	Unit	Description Price/Unit	Extended Price
10	1	EA	Legal services-copyright opinion \$19,624.30	\$19,624.30
				Total \$22,567.95

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

3 pages redacted

00023


NOVA SCOTIA

Department of Justice
Legal Services Division

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

Phone: 902-424-3297
Fax: 902-424-1730
E-mail: 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.

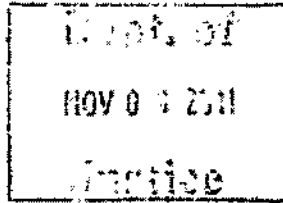
EAG/sek
Encls.

00024

SMART & BIGGAR

Intellectual Property & Technology Law

55 Metcalfe Street Suite 900
PO Box 2999 Station D
Ottawa ON K1P 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

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,

SMART & BIGGAR
S.20(1)

S.20(1)

S.20(1)
Encl.

00025

Ministerial Spending Approval (over \$5,000)

Department: Communities, Culture and Heritage

Date: November 21, 2011

Type of Goods/Service

Please indicate the following with an "X":

- Safety & Security/Medical
- Operational Requirement
- Satisfaction of Pre-Existing Legal Obligations
- Grant/Subsidy
- Compelling Business Case
- Other

Description of Goods/Services to be Purchased/Program or Grant to be Provided:

Smart & Biggar is Canada's largest firm practicing exclusively in intellectual property and technology law and have been selected repeatedly as Canada's leading intellectual property firm in numerous Canadian and international surveys. They have been retained by the Dept of Justice on behalf of CCH to provide expert advice regarding IP issues related to Bluenose II.

Value of Goods/Service/Program Costs: \$ 100,000

For Program Funding:

Total cost of program: \$ 100,000

Cost Incurred to Date: \$ 26,200

Remaining Costs: \$ 73,800

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:

S.14(1)

Procurement Method (if applicable):

- Tender
- Standing Offer
- Other ALTP 4 (sole source)

Approved By:

Bill Heurl
Executive Director

Approved By:

Al Blandy
Deputy Minister

Approved By:

Carl Walter
Minister

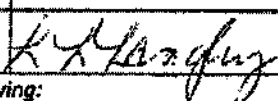
00026

Payment of Non-Compliant Invoice Authorization Form

Procurement Services
Province of Nova Scotia
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 prior 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			
<i>All fields are mandatory. Any forms missing information will be returned to the requesting department.</i>			
SAP Requisition Number: (if available)		PO Creation Date:	
Invoice Date:	Nov. 2, 2011	Purchase Amount (excluding taxes)	\$19,624.30
Invoice Number(s):	S 1734508		
Brief Description of Goods or Services Purchased:	For professional services rendered – Request for Opinion – Copyright – Bluenose II Your Ref# 10-2062		
Awarded To (vendor name):	Smart & Biggar	Have you received Ministerial Approval for this purchase?	X Yes <input type="checkbox"/> No
Requested by (Name):	Edward A. Gores	Phone Number:	424-3297
Purchased by (Name):	Edward A. Gores	Phone Number:	424-3297
Section B- 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.			
<i>For purchases under \$10,000 CAD (excluding taxes): To be signed by the supervisor or person with signing authority for the given business area.</i>			
Name of Supervisor:		Department/Division:	
Signature:		Date:	
<i>For purchases over \$10,000 CAD (excluding taxes): To be signed by the Deputy Head or delegated to Acting/Assistant Deputy Head per Sustainable Procurement Policy.</i>			
Name and Title:	LAURA LEE LANGLEY	Department/Division:	COMMUNITIES, CULTURE AND HERITAGE
Signature:		Date:	Jul 9, 2012 PCN
Please check one of the following:			
<input checked="" type="checkbox"/> Deputy Head <input type="checkbox"/> Assistant Deputy Head <input type="checkbox"/> Acting Deputy Head			

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 not 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.

Ministerial Spending Approval (over \$5,000)

Department: Communities, Culture and Heritage

Date: November 21, 2011

Type of Goods/Service

Please indicate the following with an "X":

- | | | |
|---|--------------------------|-------------------------|
| <input type="checkbox"/> Safety & Security/Medical | X | Operational Requirement |
| <input type="checkbox"/> Satisfaction of Pre-Existing Legal Obligations | <input type="checkbox"/> | Grant/Subsidy |
| <input type="checkbox"/> Compelling Business Case | <input type="checkbox"/> | Other |

Description of Goods/Services to be Purchased/Program or Grant to be Provided:

Smart & Biggar is Canada's largest firm practicing exclusively in intellectual property and technology law and have been selected repeatedly as Canada's leading intellectual property firm in numerous Canadian and international surveys. They have been retained by the Dept of Justice on behalf of CCH to provide expert advice regarding IP issues related to Bluenose II.

Value of Goods/Service/Program Costs: \$ 100,000

For Program Funding:

Total cost of program: \$ 100,000

Cost incurred to Date: \$ 26,200

Remaining Costs: \$ 73,800

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:

S.14(1)

Procurement Method (if applicable):


Tender Standing Offer

X Other ALTP 4 (sole source)

Approved By:


Executive Director

Approved By:


Deputy Minister

Approved By:


Minister

00023

Payment of Non-Compliant Invoice
Authorization Form

PROCESSED BY: [illegible]
DATE: [illegible]
BY: [illegible]

Section C

To be completed by Department staff

(This section is mandatory) Please provide the reason that the procurement process was not 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 K1P 5Y6 Canada
Tel. 613.232.2486 | Fax 613.232.8440 ottawa@smart-biggar.ca

5100963710
~~(5105863867)~~
SMART & BIGGAR
Intellectual Property & Technology Law

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

		HST
FOR SERVICES RENDERED FOR THE PERIOD ending December 31, 2011. Please see the attached printout for details.		
	\$1,500.00	\$225.00
Travel expenses for S.20(1) to Halifax on October 4, 2011	\$1,624.60	\$243.69
NET TOTAL	\$3,124.60	
HST TOTAL	\$468.69	
TOTAL	\$3,593.29	

S.20(1) 2.3hrs @ S.20(1) /hr
 S.20(1) 1.2hrs @ S.20(1) /hr
 S.20(1) 0.5hrs @ S.20(1) /hr

Filed
 FEB 15 2012

5500	DPO NUMBER	41102137114146
COST CENTER	ACCOUNT	00
5510141010	615118	
ORDER NUMBER		
APPROVED FOR PAYMENT	AUDIT	
RETURN TO	VENDOR SUPPLEMENT	1101011491715

5001024698

COPY

ALL AMOUNTS ARE EXPRESSED IN CANADIAN DOLLARS

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

00046

S 10/03727

C S/05937591

55 Metcalfe Street Suite 900, PO Box 2999 Station D, Ottawa ON K1P 5Y6 Canada
Tel. 613.232.2486 | Fax 613.232.8440 ottawa@smart-biggar.ca

SMART & BIGGAR

Intellectual Property & Technology Law

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

		HST
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
	NET TOTAL	\$22,920.95
	HST TOTAL	\$3,438.14
	TOTAL	\$26,359.09

Finance - C503
JAN 11 2012

S.20(1) 0.3 hrs (hr
 5.0 hrs (hr
 33.1 hrs (hr
 17.0 hrs (hr
 0.8 hrs (hr
 0.2 hrs (hr

S.20(1) 5500

BPO NUMBER	500262932
COST CENTER	550400 6518
APPROVED BY	<i>[Signature]</i>
DATE	10/13
TOTAL	100,497.5

5001104732

ALL AMOUNTS ARE EXPRESSED IN CANADIAN DOLLARS

COPY

Ministerial Spending Approval (over \$5,000)

Department: Communities, Culture and Heritage

Date: November 21, 2011

Type of Goods/Service

Please indicate the following with an "X":

- | | |
|---|---|
| <input type="checkbox"/> Safety & Security/Medical | <input checked="" type="checkbox"/> Operational Requirement |
| <input type="checkbox"/> Satisfaction of Pre-Existing Legal Obligations | <input type="checkbox"/> Grant/Subsidy |
| <input type="checkbox"/> Compelling Business Case | <input type="checkbox"/> Other |

Description of Goods/Services to be Purchased/Program or Grant to be Provided:

Smart & Biggar is Canada's largest firm practicing exclusively in intellectual property and technology law and have been selected repeatedly as Canada's leading intellectual property firm in numerous Canadian and international surveys. They have been retained by the Dept of Justice on behalf of CCH to provide expert advice regarding IP issues related to Bluenose II.

Value of Goods/Service/Program Costs: \$ 100,000

For Program Funding:

Total cost of program: \$ 100,000

Cost Incurred to Date: \$ 26,200

Remaining Costs: \$ 73,800

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:

S.14(1)

Procurement Method (if applicable):

- Tender

 Standing Offer
 Other ALTP 4 (sole source)

Approved By:


Executive Director

Approved By:


Deputy Minister

Approved By:


Minister

00009



NOVA SCOTIA
Procurement Services
Official Purchase Order

PO Number:	4102372055
PO Date:	May 23, 2012
Outline Agreement Number:	
Tender Number:	

To:	Vendor No: 10014975
SMART & BIGGAR	
PO BOX 2999 STN D	
OTTAWA	
ON K1P 5Y6 CA	

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: May 23, 2012

Item	Material	Description	PO Order Qty	Unit	Order Price Per Unit	Price	Extended Price
0001		Legal opinion-Bhuenoselt	1	LE	1 LE	\$3,618.48	\$3,618.48
0010		Legal opinion-Bhuenose ll	1	EA		\$3,618.48	\$3,618.48
Totals:		Harmonized Sales Tax:	\$542.77				\$4,161.25 CAD

00010

To:	Vendor No:	10014975
SMART & BIGGAR		
PO BOX 2999 STN D		
OTTAWA		
ON	K1P 5Y6	CA

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:

00011

Ministerial Spending Approval (over \$5,000)Department: Communities, Culture and HeritageDate: November 21, 2011**Type of Goods/Service**

Please indicate the following with an "X":

- | | |
|---|---|
| <input type="checkbox"/> Safety & Security/Medical | <input checked="" type="checkbox"/> Operational Requirement |
| <input type="checkbox"/> Satisfaction of Pre-Existing Legal Obligations | <input type="checkbox"/> Grant/Subsidy |
| <input type="checkbox"/> Compelling Business Case | <input type="checkbox"/> Other |

Description of Goods/Services to be Purchased/Program or Grant to be Provided:

Smart & Bigger is Canada's largest firm practicing exclusively in intellectual property and technology law and have been selected repeatedly as Canada's leading intellectual property firm in numerous Canadian and international surveys. They have been retained by the Dept of Justice on behalf of CCH to provide expert advice regarding IP issues related to Bluenose II.

Value of Goods/Service/Program Costs: \$ 100,000**For Program Funding:**Total cost of program: \$ 100,000Cost Incurred to Date: \$ 26,200Remaining Costs: \$ 73,800**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:**S.14(1)****Procurement Method (if applicable):**

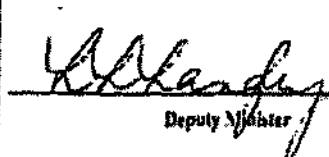
- Tender Standing Offer
- Other ALTP 4 (sole source)

Approved By:



Executive Director

Approved By:



Deputy Minister

Approved By:



Minister

00012

55 Metcalfe Street Suite 900, PO Box 2999 Station D, Ottawa ON K1P 5Y6 Canada
Tel. 613.232.2486 | Fax 613.232.8440 ottawa@smart-biggac.ca

5101001606
(5105901720)
SMART & BIGGAR
Intellectual Property & Technology Law

Dept. of
JUL 12 2012
Justice

Invoice No. S 17883
June 30, 2012
HST NO. 122086242

53103-1 S.20(1)

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: 10-2062

		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) S.20(1)



5001065781

5500	DPO NUMBER	4110123721059
COST CENTER	ACCOUNT	00
5151014010	6151P	
ORDER NUMBER		
APPROVED FOR PAYMENT / AUDIT		
RETURN TO	VENDOR/SUPPLEMENT	
	11010114191P	

COPI

ALL AMOUNTS ARE EXPRESSED IN CANADIAN DOLLARS

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



NOVA SCOTIA
Procurement Services
Official Purchase Order

PO Number: 4102372059
PO Date: July 25, 2012
Outline Agreement Number:
Tender Number:

To: Vendor No: 10014975
SMART & BIGGAR
PO BOX 2999 STN D
OTTAWA
ON K1P 5Y6 CA

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	Material	Description	PO Order Qty	Unit	Order Price Per Unit	Price	Extended Price
0001		Legal opinion-Bluenose II	1	LE	1 LE	\$1,237.21	\$1,237.21
0010		Legal opinion-Bluenose II	1	EA		\$1,237.21	\$1,237.21
Totals:		Harmonized Sales Tax:	\$185.58				\$1,422.79 CAD

00015

To: Vendor No: 10014975
SMART & BIGGAR
PO BOX 2999 STN D
OTTAWA
ON K1P 5Y6 CA

PO Number: 4102372059
PO Date: July 25, 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:

00016


NOVA SCOTIA
Department of Justice
Legal Services Division

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

Phone: 902-424-3297
Fax: 902-424-1730
E-mail: goresea@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

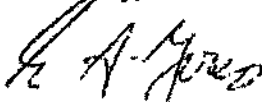
Dear Ms. Walker:

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:

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

Yours truly,



Edward A. Gores, Q.C.

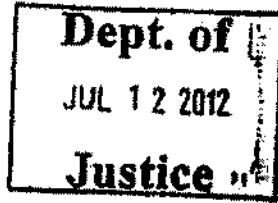
EAG/sek
Encls.

00017

SMART & BIGGAR

Intellectual Property & Technology Law

55 Metcalfe Street Suite 900
PO Box 2999 Station D
Ottawa ON K1P 5Y6 Canada
Tel. 613.232.2486 | Fax 613.232.8440
www.smart-biggarr.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,

SMART & BIGGAR

S.20(1)

gowlings

national ottawa toronto hamilton wintario region calgary vancouver hqing mississauga london

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 Scotia et. Roue - copyright infringement

TO OUR FEE:

Fees for Professional Services	51,233.00
Adjustment	(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 this Invoice	830.96
[Total HST: \$95.60]	
Please remit total invoice balance due:	in Canadian Dollars 5830.96

PAID**GOWLING LAFLEUR HENDERSON LLP****S.20(1)**

Interest at the rate of 1.2% per annum will be charged on all amounts not paid within one month from the date of this invoice.

Interest due upon receipt
 errors and omissions excluded
 GST/HST: 13736 4811 RT

Gowling Lafleur Henderson LLP - Lawyers - Patent and Trade-mark Agents
 100 Elgin Street, Suite 2000 - Ottawa, Ontario, K1P 1E3 Canada T 613 233 1781 F 613 563 0560 gowlings.com

page 1 of 3

00019



March 29, 2012
INVOICE: 17449872

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

PROFESSIONAL SERVICES

06/03/2012

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

07/03/2012

08/03/2012

Fees for Professional Services	\$1,233.00
Adjustment	\$(500.00)
Total Fees for Professional Services	<u>\$733.00</u>

DISBURSEMENTS

Taxable Costs	
Copying	\$1.50
Scanning Service	\$0.25
Postage	\$0.61
Total Taxable Disbursements	<u>\$2.36</u>

Terms: due upon receipt
Interest at the rate of 3.3% per annum will be charged on all amounts not paid within one month from the date of this invoice
GST and QST/STP excluded

00020

gowlings

montreal - ottawa - toronto - hamilton - waterloo region - calgary - vancouver - beijing - hong kong - london

Dept. of
JUL 12 2012
Justice

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

April 30, 2012
INVOICE: 17473016

COPY

Our Matter: 07387622 / 87409
RE: Province of Nova Scotia vs. Roue - 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	228.09
[Total HST: \$26.24]	
Please remit total invoice balance due:	\$228.09

In Canadian Dollars

PAID

GOWLING LAFLEUR HENDERSON LLP S.20(1)

Terms due upon receipt
Interest at the rate of 1.25% per annum will be charged on all amounts not paid within one month from the date of this invoice

Errors and omissions excluded
GST/HST: 11936 4511 RT

Gowling Lafleur Henderson LLP - Lawyers - Patent and Trade-mark Agents
100 King Street West, Suite 3300, Ottawa, Ontario K1P 1G3, Canada T613-233-1781 - F 613-543-5809 gowlings.com

00021



April 30, 2012
INVOICE: 17473016

Smart & Biggar
Our Matter: 07387622
Province of Nova Scotia vts. Raue - copyright infringement

PROFESSIONAL SERVICES

28/03/2012 S.16(1) and S.20(1)

Total Fees for Professional Services **\$180.00**

DISBURSEMENTS

Taxable Costs

Postage

\$0.61

Taxis - Local Travel

\$21.24

Total Taxable Disbursements **\$21.85**

terms: due upon receipt
Interest at the rate of 1.3% per annum will be charged on all amounts not paid within one month from the date of this invoice
errors and omissions excluded


00022

Payment of Non-Compliant Invoice Authorization Form

Procurement Services
 Procurement Services
 Tel: 902-423-3137
 Fax: 902-423-3137

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 prior 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. Any forms missing information will be returned to the requesting department.			
SAP Requisition Number: (if available)		PO Creation Date:	
Invoice Date:	June 30, 2012	Purchase Amount (excluding taxes)	\$1237.21
Invoice Number(s):	S 1788363		
Brief Description of Goods or Services Purchased:	For professional services rendered – Request for Opinion – Copyright – Bluenose II Your Ref# 10-2062		
Awarded To (vendor name):	Smart & Biggar	Have you received Ministerial Approval for this purchase?	X Yes <input type="checkbox"/> No
Requested by (Name):	Edward A. Gores	Phone Number:	424-3297
Purchased by (Name):	Edward A. Gores	Phone Number:	424-3297
Section B - 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 Greenlaw	Department/Division:	COMMUNITIES, CULTURE AND HERITAGE - AML
Signature:		Date:	July 25, 2012
For purchases over \$10,000 CAD (excluding taxes): To be signed by the Deputy Head or delegated to Acting/Assistant Deputy Head per Sustainable Procurement Policy.			
Name and Title:		Department/Division:	
Signature:		Date:	
Please check one of the following:			
<input type="checkbox"/> Deputy Head <input type="checkbox"/> Assistant Deputy Head <input type="checkbox"/> Acting Deputy Head			

00030



Official Purchase Order

PO Number: 4102371446
 PO Date: Feb 14, 2012

TO: YOUR VENDOR NO: 10014975
 SMART & BIGGAR
 PO BOX 2999 STN D
 OTTAWA ON K1P 5Y6

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: <u>Delivery Date: February 14, 2012</u> Delivery terms:
--	--

Item	Material	Description	Unit	Unit	Order	Price	Price	Price	Extended	Item
	Order Qty			Price	Price	Per	Curr	Price		Subtotal
			Qty	Unit	Unit					
00001	1	Legal services-Blunose II	1	LE	1	\$3,124.60	CAD		\$3,124.60	
		Harmonized Sales Tax				15%			\$468.69	
		Item Subtotal				\$3,593.29				\$3,593.29
<i>*** Item partially delivered ***</i>										


The item covers the following services:

Item	Quantity	Unit	Description	Price/Unit	Extended Price
10	1	EA	Legal services-Blunose II	\$3,124.60	\$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 prior 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			
<i>All fields are mandatory. Any forms missing information will be returned to the requesting department.</i>			
SAP Requisition Number: (if available)		PO Creation Date:	
Invoice Date:	December 31, 2011	Purchase Amount (excluding taxes)	\$3124.60
Invoice Number(s):	S 1748521		
Brief Description of Goods or Services Purchased:	For professional services rendered – Request for Opinion – Copyright – Bluenose II Your Ref# 10-2062		
Awarded To (vendor name):	Smart & Biggar	Have you received Ministerial Approval for this purchase?	X Yes <input type="checkbox"/> No
Requested by (Name):	Edward A. Gores	Phone Number:	424-3297
Purchased by (Name):	Edward A. Gores	Phone Number:	424-3297
Section B - 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.			
<i>For purchases under \$10,000 CAD (excluding taxes): To be signed by the supervisor or person with signing authority for the given business area.</i>			
Name of Supervisor:	Bill Greenlaw	Department/Division:	Communities, Culture & Heritage/Archives, Museums and Libraries
Signature:		Date:	July 1, 2011
<i>For purchases over \$10,000 CAD (excluding taxes): To be signed by the Deputy Head or delegated to Acting/Assistant Deputy Head per Sustainable Procurement Policy.</i>			
Name and Title:		Department/Division:	
Signature:		Date:	
Please check one of the following:			
<input type="checkbox"/> Deputy Head <input type="checkbox"/> Assistant Deputy Head <input type="checkbox"/> Acting Deputy Head			

00032

Payment of Non-Compliant Invoice
Authorization Form

--

Section C

To be completed by Department staff

(This section is mandatory) Please provide the reason that the procurement process was not 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.

00033

NOVA SCOTIA
Department of Justice
Legal Services Division

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

Phone: 902-424-3297
Fax: 902-424-7730
E-mail: goresca@gov.ns.ca

Edward A. Gores, Q.C.
Senior Counsel

File No.: 11-1252

SENT VIA COURIER:

January 26, 2012

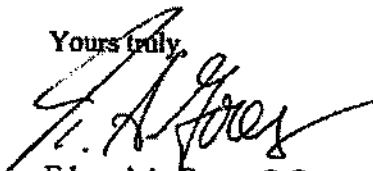
Rhonda M. Walker
Director, Corporate Strategy and Operations
Department of Communities, Culture and Heritage
6th Floor - 1800 Argyle Street
Halifax, NS B3J 2R5

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.

Yours truly,



Edward A. Gores, Q.C.

EAG/sek
Encl.

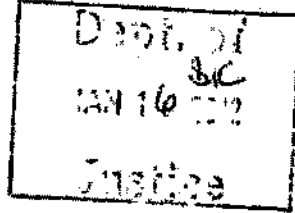
00034

11-1252

SMART & BIGGAR

Intellectual Property & Technology Law

55 Metcalfe Street Suite 900
PO Box 2999 Station D
Ottawa ON K1P 5Y6 Canada
Tel. 613.232.2486 | Fax 613.232.8440
www.smart-biggarr.ca



S.20(1)
S.20(1)@smart-biggarr.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 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 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,

SMART & BIGGAR

S.20(1)

S.20(1):
Encl.

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Ministerial Spending Approval (over \$5,000)

Department: Communities, Culture and HeritageDate: November 21, 2011Type of Goods/Service

Please indicate the following with an "X":

- | | |
|---|---|
| <input type="checkbox"/> Safety & Security/Medical | <input checked="" type="checkbox"/> Operational Requirement |
| <input type="checkbox"/> Satisfaction of Pre-Existing Legal Obligations | <input type="checkbox"/> Grant/Subsidy |
| <input type="checkbox"/> Compelling Business Case | <input type="checkbox"/> Other |

Description of Goods/Services to be Purchased/Program or Grant to be Provided:

Smart & Biggar is Canada's largest firm practicing exclusively in intellectual property and technology law and have been selected repeatedly as Canada's leading intellectual property firm in numerous Canadian and international surveys. They have been retained by the Dept of Justice on behalf of CCH to provide expert advice regarding IP issues related to Bluenose II.

Value of Goods/Service/Program Costs: \$ 100,000

For Program Funding:

Total cost of program: \$ 100,000Cost Incurred to Date: \$ 26,200Remaining Costs: \$ 73,800Supporting 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:

S.14(1)


Procurement Method (if applicable):

- Tender Standing Offer
- Other ALTP 4 (sole source)

Approved By:


Executive Director

Approved By:


Deputy Minister

Approved By:


Minister

00001

55 Metcalfe Street Suite 900, PO Box 2999 Station D, Ottawa ON K1P 5Y6 Canada
Tel. 613.232.2484 | Fax 613.232.8440 ottawa@smart-biggar.ca

5100990152
(5145890295)
SMART & BIGGAR
Intellectual Property & Technology Law

53103-1 S.20(1)

Invoice No. S 177506
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: Province of Nova Scotia - Bluenose II - Request for Opinion
Your Ref: 10-2062

		HST
FOR SERVICES RENDERED FOR THE PERIOD ENDING April 30, 2012. Please see the attached printout for details.	\$2,250.00	\$337.50
Paid invoice from Gowlings for searches.	\$1,356.00	\$203.40
service charges re: telephone	\$12.48	\$1.87
NET TOTAL	\$3,618.48	
HST TOTAL	\$542.77	
TOTAL	\$4,161.25	

S.20(1) 4.3hrs @ /hr
 0.8hrs @ /hr
 0.9hrs @ /hr

S.20(1)

5001052098

COPY

5500	DPO NUMBER	4110123176210155
COST CENTER	ACCOUNT	00
51510400	615118	
ORDER NUMBER		
APPROVED FOR PAYMENT	AUDIT	
RETURN TO	VENDOR/SUPPLEMENT	110101149175

ALL AMOUNTS ARE EXPRESSED IN CANADIAN DOLLARS

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

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

00004

53103-1



montreal - ottawa - toronto - hamilton - waterloo region - calgary - van.couver - moscow - london

APPROVE OR PAYMENT	
INITIALS <u>LS</u>	DATE <u>MAR 1</u>
CHEQUE <u>48281</u>	DATE <u>MAR 21 2012</u>
DISB. SLIP MADE <u>Yes</u>	
IN FILE LOG <u>1356</u>	
OFFICE CHARGE	

Smart & Biggar
 S.20(1)
 Partner
 Barristers & Solicitors
 P.O. Box 2999, Station D.
 55 Metcalfe St., Suite 900
 Ottawa ON K1P 5Y6

December 31, 2011
 INVOICE: 17406844

Our Matter: 07387622 / 87409
 RE: Province of Nova Scotia ats. Roue - copyright infringement

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

DISBURSEMENTS:

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

TOTAL INVOICE BALANCE:

Total for this invoice	1,385.76
[Total HST: \$159.42]	
Please remit total invoice balance due:	in Canadian Dollars \$1,385.76

GOWLING LAFLAUR HENDERSON LLP

S.20(1)

Terms: due upon receipt
 Interest at the rate of 1.3% per annum will be charged on all amounts not paid within one month from the date of this invoice


errors and omissions excluded
 GST/HST: 24936 4511 RT

Gowling Lafleur Henderson LLP - Lawyers Patent and Trade-mark Agents
 1000 Dufferin Street, Suite 2600, Ottawa, Ontario, K1P 1G3 Canada, T617-203-1731 F617-637-5461 gowlings.com

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 prior 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			
<i>All fields are mandatory. Any forms missing information will be returned to the requesting department.</i>			
SAP Requisition Number: (if available)		PO Creation Date:	
Invoice Date:	April 30, 2012	Purchase Amount (excluding taxes)	\$3,618.48
Invoice Number(s):	S 1775082		
Brief Description of Goods or Services Purchased:	For professional services rendered – Request for Opinion – Copyright – Bluenose II Ref# 10-2852		
Awarded To (vendor name):	Smart & Beggar	Have you received Ministerial Approval for this purchase?	X Yes <input type="checkbox"/> No
Requested by (Name):	Edward A. Gores	Phone Number:	424-3297
Purchased by (Name):	Edward A. Gores	Phone Number:	424-3297
Section B- 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.			
<i>For purchases under \$10,000 CAD (excluding taxes): To be signed by the supervisor or person with signing authority for the given business area.</i>			
Name of Supervisor:	Bill Green law	Department/Division:	Communities, Culture & Heritage/Archives, Museums and Libraries
Signature:		Date:	CCIT - AML
<i>For purchases over \$10,000 CAD (excluding taxes): To be signed by the Deputy Head or delegated to Acting/Assistant Deputy Head per Sustainable Procurement Policy.</i>			
Name and Title:		Department/Division:	
Signature:		Date:	
<i>Please check one of the following:</i>			
<input type="checkbox"/> Deputy Head <input type="checkbox"/> Assistant Deputy Head <input type="checkbox"/> Acting Deputy Head			

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Payment of Non-Compliant Invoice
Authorization Form

Department of Justice
1000-000-1000-1000
1000-000-1000-1000
1000-000-1000-1000

[Empty rectangular box]

Section C

To be completed by Department staff

(This section is mandatory) Please provide the reason that the procurement process was not 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.