

Neutral Citation No.: [2008] NIQB 133

Ref: **GIR7309**

*Judgment: approved by the Court for handing down
(subject to editorial corrections)**

Delivered: **16-10-08**

IN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND

QUEEN'S BENCH DIVISION

2003 No. 6118

BETWEEN:

MICHELLE FEENEY

Plaintiff;

-and-

TYCO HEALTHCARE (UK) MANUFACTURING LIMITED

Defendant.

GIRVAN LJ

Costs order

[1] The plaintiff is to have a general cost of the action against the defendant but the following items will be disallowed.

- (a) Costs of and incidental to amendments to pleadings relating to the monetary claim for loss of earnings and special damages.
- (b) The report of Breda Jamison and fees and expenses of Breda Jamison as a witness.
- (c) That a report of the forensic accountants ASM Howell and the fees and expenses of those accountants of and in connection with the proceedings.

[2] The plaintiff's recoverable costs in respect of the actual trial should be abated by 30%.

- [3] The defendant should be entitled to off set against the plaintiff's recoverable costs the costs incurred by the defendant in retaining Harbinson Mulholland accountants in the preparation of their report and in consulting them in connection with meeting the plaintiff's claim.