Court of King's Bench of Alberta

Citation: Kostic v Scott Venturo Rudakoff LLP, 2026 ABKB 743

Date: 20261027
Registry: Calgary
Docket: 1901 06547

2026 ABKB 743 (CanLII)

Between

Liliana Kostic

Plaintiff/Applicant

- and –

Scott Venturo Rudakoff LLP, Dominic Venturo, Dan Horner, Katrina Edgerton-McCutchan a.k.a. Katrina Edgerton-McGhan

Defendants/Respondents

Costs Decision
of the
Honourable Justice M.A. Marion

I. Introduction

[1] This action (**SVR Action**) is part of a larger set of actions (**Case Managed Actions**)[1] under my case management as case management justice (**CMJ**). Definitions used herein are the definitions from Endorsement #4 or ***Kostic v Scott Venturo Rudakoff LLP***, 2026 ABKB 626 [***Decision***] unless otherwise noted.

[2] In the ***Decision***, I decided several applications (**Applications**) and I: (1) granted the application of the defendants/respondents (**SVR**) for security for costs against Kostic, on terms; (2) dismissed Kostic's applications (**Kostic Applications**) seeking (among other things) an advanced costs award; and (3) denied granting Kostic a fiat (one component of her "December 2025 Fiat Request"[2]) to file the "Proposed Kostic-SVR Records Application" for records production from SVR and AIG Insurance Company of Canada (**AIG**) in the SVR Action.

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[1] As defined in Endorsement #4.
[2] Other aspects of the December 2025 Fiat Request have been adjourned, as per Endorsement #82.

[3] In the ***Decision***, at paras 229-230, I provided directions for costs submissions arising out of the ***Decision*** as well as the possibility for imposing a penalty against Kostic under rule 10.49 of the *Alberta Rules of Court*, Alta Reg 124/2010 (*Rules*), the latter because Kostic continued to pursue aspects of relief that I had expressly struck and did not permit her to pursue.

[4] Kostic failed to follow my directions for the determination of costs as set out in the ***Decision*** at para 229. Most materially, she did not provide any initial written cost submissions within four weeks of the ***Decision***, as required. She only provided response submissions (**Kostic Response**).[3] This approach has the potential to create unfairness because Kostic raises new issues in the Kostic Response that are not directly responsive to the cost positions of SVR and/or the Attorney General of Alberta (**AGA**), because it neutralizes the response right I intended all parties to have. However, neither SVR nor AGA have objected to Kostic's approach, I find that I do not require further submissions from them in this instance, and I find there is no prejudice in giving my decision without further submissions from SVR/AGA.

[5] For the reasons set out below, I grant SVR and the AGA costs as set out below. I order Kostic to pay a penalty to the clerk of the court in the amount of $600.

II. Issues

[6] The issues before me are an appropriate costs award and whether to order Kostic to pay a penalty under rule 10.49.

[7] In her materials, Kostic seeks "urgent relief enforcing her save-harmless rights,"[4] and for the Court to "immediately recognize her save-harmless rights, retroactive and prospective" or to "grant an urgent application to do so."[5] This appears to be a request for urgent relief against non-parties to the SVR Action. No fiat request for this relief has been properly requested or approved since the ***Decision***. It is not properly before me. Further:

(a) to the extent Kostic seeks to bring such an application within the SVR Action, she cannot do so because the SVR Action is presently stayed under the terms of the ***Decision***: ***Decision*** at para 224. To my knowledge, Kostic has not posted the required security or obtained a stay of the ***Decision***;

(b) to the extent Kostic seeks to bring such an application within the 0601 Action or Kostic-CIBC Trust Action #1, these matters are scheduled for trial in March 2027. In Endorsement #87, at paras 38-46, I created an "Expedited Application Process" for "any applications on the critical path to facilitate trial readiness" for that trial, pursuant to which I suspended the fiat process and provided alternative procedural directions. Kostic has not followed either the fiat process or the Expedited Application Process. Further, Kostic's asserted urgent relief sought is not on the critical path for that trial as I envisioned or intended in Endorsement #87. I remind

[3] "Reply Costs Submissions (SVR) with BOOK OF AUTHROITIES AND BOA NOT CANLII" (a 42-page PDF). In Endorsement #96, I decided to accept the Kostic Response notwithstanding its non-compliance.
[4] Kostic Response at para 3.
[5] Kostic Response at para 79.

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Kostic of the numerous times that this Court and the Court of Appeal have found that indemnity/save harmless claims will be limited to those that are actually included in the pleadings, and that a trial is generally required for such issues: ***Piikani Nation v Raymond James Ltd***, 2026 ABKB 622[6] at para 409 (and cases cited therein);

(c) to the extent Kostic seeks to bring such an application in another Case Managed Action, she will need to follow the fiat process as set out in Endorsement #4, as amended; and

(d) to the extent Kostic seeks to bring a new action against parties covered by the February 13, 2013 order of Associate Chief Justice Rooke, she needs leave of the Court. In this instance, I direct her to follow the fiat process as set out in Endorsement #4, as amended, as I have in other instances: ***2026 ABKB 622*** at paras 552-554.

[8] Kostic also seeks "leave to hear supplemental reasons to the various slips in decisions 620-626 and appeals", with reference to a September 26, 2026 case management conference (**CMC**). Before and at that CMC, Kostic advised me she was going to seek clarification of various points in the decisions I released on September 9, 2026. In Endorsement #87, dated October 2, 2026, I noted that Kostic had not provided me any fiat request or sought clarification of any of my decisions under the fiat process set out in Endorsement #4 (as amended), or the post-decision/endorsement processes as clarified in Endorsement #45 at paras 96-103 (including the "Clarification Process" at para 103 thereof). Kostic has still not followed any of those procedures and they are not before me at this time or as part of my determination of costs arising out of the ***Decision***. The ***Decision*** was released over six weeks ago.

[9] Kostic also seeks an "order that expert evidence be required on the question of SVR's compliance with its duties before any finding on its conduct is made with respect to costs".[7] No such application has been approved or is before me and the SVR Action is presently stayed. A costs determination arising out of interlocutory applications is not a final decision about the merits of the underlying action. This relief request appears to be based on a misunderstanding of what the ***Decision*** decided or is an attempt to reargue aspects of the Applications.

III. Positions

A. SVR

[10] SVR seeks costs between approximately $19,000 and $24,000 for the Applications. $19,000 represents its costs based on its proposed bill of costs based on column 4 of Schedule C of the *Rules*, with a 1.25X multiplier for inflation and a 1.5X multiplier for complexity and Kostic's litigation conduct (for a total multiplier of 1.875). $24,000 represents approximately 50% of SVR's

[6] Given the numerous reported decisions in the Case Managed Actions, and the common parties across those actions, it is not possible to use traditional methods to meaningfully define cases for the purposes of these Reasons. Instead, for efficiency, I will simply refer to the numerical citation as the definition. For example, ***Piikani Nation v Raymond James Ltd***, 2026 ABKB 622 will be referred to as ***2026 ABKB 622***.

[7] Kostic Response at para 84(24)(j).

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actual asserted legal costs in respect of the Applications, which SVR asserts is based on reduced hourly rates.

[11] SVR concedes that solicitor-client costs are not warranted, but that a lump sum award between 40-50% of their legal costs, as per ***McAllister v Calgary (City)***, 2021 ABCA 25, is appropriate as an alternative to Schedule C costs.

[12] With respect to key costs considerations under rules 10.29 and 10.33, SVR points to: (1) SVR's success and presumptive entitlement to costs: (2) the amount claimed; (3) the complexity of the Applications; (4) the fact its security for costs application took nearly five years to be heard; and (5) Kostic's litigation conduct, including the volume of Kostic's materials filed[8]; Kostic's bald and conclusory statements about case law or procedural events; Kostic's failure to follow the Court's directions; Kostic's attempt to seek relief the Court had not permitted to proceed; Kostic's collateral attacks on court orders; Kostic's abuse of process; and Kostic's use of fictitious or irrelevant case citations.

[13] SVR takes no further position with respect to a penalty.

[14] SVR seeks costs of its written costs submissions in the lump sum amount of $750 (or such other amount as the Court deems appropriate).

B. AGA

[15] AGA seeks costs in the amount of $2,360 under item 8(1)(a) of column 4 of Schedule C. AGA provided no submissions about whether a penalty was appropriate, or with respect to the costs related to the costs process.

C. Kostic

[16] Kostic has appealed the ***Decision***. The Kostic Response heavily relies on her submissions of the various asserted errors this Court made in the ***Decision***. As noted above, Kostic also attempts to reargue aspects of Applications in her cost submissions, including by arguing that any "security award be deferred" pending the satisfaction of the indemnity obligations of CIBC World Markets Inc (**CWM**)[9] or CIBC Trust Corporation (**CIBC Trust**).[10]

[17] Costs submissions following a decision are not an appropriate place to make submissions about errors in that decision, or to reargue the merits of the application. Further, it would be inappropriate for this Court, in a costs decision, to engage with or respond to issues asserting alleged errors made in the ***Decision***. The determination of whether there was an error in the ***Decision*** is a matter for the Court of Appeal. For all of these reasons, I do not summarize,

[8] SVR asserts that Kotic filed 1,937 pages of materials by March 2022 and another 2,629 pages in relation to these Applications (excluding case law).
[9] Kostic Response at paras 3, 80.
[10] Kostic Response at para 81.

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materially address, or respond to Kostic's submissions about the lack of merits of, or asserted errors made in, the ***Decision***. My costs determination is based on the ***Decision*** and my order.

[18] Kostic's other arguments can be fairly summarized as follows:

(a) SVR failed to file and serve its costs submission on time and has never provided the filed copy;[11]

(b) Kostic's liability for costs, if any, is derivative of the conduct of her previous counsel and Kostic is entitled to first look to them, her insurers, and her employers.[12] Kostic argues that any costs award be deferred pending satisfaction of indemnity/save harmless obligations or the determination of an urgent application she intends to seek to file (as noted earlier in these Reasons).[13] Kostic also argues that any costs award should be a set-off against any amounts owing under her indemnity/save harmless rights;[14]

(c) SVR failed to provide evidence of its actual incurred costs, including disbursements;[15]

(d) SVR did not actually incur costs because some of them were paid by the Alberta Lawyer' Insurance Association;

(e) SVR merges distinct questions of liability for costs, with whether SVR acted competently or whether Kostic can post security;[16]

(f) SVR's costs are not reasonable or proportionate, including with respect to the interests involved. Kostic points to her own financial security and interest coverage she has lost;[17]

(g) Kostic makes other specific arguments about reasonableness and proportionality which I address later in these Reasons;

(h) Kostic denies that she cited non-existent cases and asserts that none have been identified.[18] However she also seems to acknowledge that there was an "odd reference" improperly cited "by inadvertent tiredness or perhaps carelessness";

(i) SVR's claimed costs would have collateral consequences. Kostic argues that any costs award against Kostic "would reduce the only recovery she has left from the

[11] Kostic Response at para 8.
[12] Kostic Response at para 17.
[13] Kostic Response at paras 3, 40, 84, among others.
[14] Kostic Response at para 66.
[15] Kostic Response at paras 8, 57-58.
[16] Kostic Response at para 13.
[17] Kostic Response at paras 44-66, 71.
[18] Kostic Response at para 7.

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claims that SVR's conduct caused her to lose."[19] Kostic argues that those consequences must be weighed in considering cost entitlement and scale;

(j) any costs award should be limited to party-party costs using column 4 of Schedule C, only for items that relate to the Applications and without second counsel or multipliers;[20]

(k) enhanced costs are not justified for various reasons[21], including (1) such costs are reserved for exceptional misconduct that does not exist here; and (2) unsuccessful positions are not misconduct; and

(l) any cost award should be directed to be paid by Kostic's indemnitors, including CWM, CIBC Trust, Raymond James Ltd, Piikani Nation, AIG "and others."[22]

IV. Analysis

A. Costs

[19] I summarized general costs principles in ***Uhuegbulem v Balbi***, 2025 ABKB 318 at paras 58-77. I incorporate those principles by reference and do not reproduce them here. I have reviewed the rule 10.33 factors and the various arguments of the parties. I address some key matters below.

1. Success

[20] SVR was substantially successful in obtaining a security for costs award, even though it did not obtain the precise terms or quantum of security sought. SVR was also successful in opposing any order for advanced costs or for other relief sought against SVR in the Kostic Applications.

[21] Kostic argues that SVR should not be entitled to costs for the March 10, 2026 application. I disagree. SVR is *prima facie* entitled to costs.

[22] AGA was successful in opposing Kostic's application for advanced costs against it. It is *prima facie* entitled to costs.

2. Deferral of Costs Determination Not Appropriate

[23] I am not satisfied that it is appropriate to defer my determination of costs as Kostic requests, or otherwise.

[24] First, without more, there is no reason to delay a costs adjudication simply because there is an appeal or a possible application to set aside the decision: ***Buye v Fisher***, 2026 ABKB 589 at

[19] Kostic Response at para 60.
[20] Kostic Response at para 66.
[21] Kostic Response at para 69 and following.
[22] Kostic Response at para 83.

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para 7; ***Intact Insurance Company v Clauson Cold & Cooler Ltd***, 2019 ABQB 225 at para 12; ***Alston v Haywood Securities Inc***, 2022 ABKB 797 at para 43.

[25] Second, Kostic has not provided me authority suggesting that the determination of costs should be deferred because Kostic might have a claim to be indemnified by non-parties to the SVR Action for any costs award she is ordered to pay. Costs in respect of the Applications addressed in the ***Decision*** is a matter between Kostic, on the one hand, and SVR/AGA, on the other. SVR and AGA should not have to wait based on some possible, uncertain future determination about Kostic's potential right to indemnification or other relief from non-parties for her costs liability to SVR/AGA. The merits of any such claims are not properly before me in the SVR Action or in this costs determination.

[26] Third, although not specifically requested by Kostic, I have considered whether it would otherwise be appropriate to defer costs to be determined at or after the trial of this matter. I am not satisfied this is appropriate in this case, based on all the circumstances (including those specifically described in these Reasons).

3. Conduct of the Parties

[27] Contrary to Kostic's position, neither SVR nor AGA missed the deadline to provide cost submissions. The ***Decision*** only required initial costs submissions to be served and provided to my office, not filed. This was my oversight, not something that warrants refusal of costs to the successful parties or a reduction in quantum. There is no prejudice to anyone. I direct SVR and AGA to file their cost submissions so they are on the Court file.

[28] Kostic raises SVR's alleged misconduct that is the subject of the SVR Action, or other asserted conduct that has not otherwise been proven on a balance of probabilities on the record before me. I have already found that SVR's conduct did not warrant refusing security for costs: ***Decision*** at paras 157-158. Similar reasoning applies to costs of the Applications.

[29] There is no asserted AGA conduct that would warrant refusing its *prima facie* entitlement to costs, or a reduction of quantum of costs.

[30] Conversely, I am satisfied that Kostic significantly complicated and increased the cost of the Applications, which warrants an enhancement of Schedule C costs in the form of a multiplier.[23] Non-exhaustively, this includes (1) seeking relief in the Applications that was not properly before me and for which no permission had been granted (***Decision*** at paras 43, 186); (2) filing materials reflecting some of the characteristics set out in the ***Decision*** at para 165; and (3) using fictitious citations, which is even more problematic when included in a sworn affidavit (***Decision*** at paras 139-140 (footnotes 39, 40, 41); ***QM v RM***, 2025 ABKB 751 at paras 30-34 (and cases cited therein)). Reliance on fictitious case citations can be a "marked departure from reasonable conduct" that seriously interferes with the administration of justice: ***Reddy v Saroya***, 2026 ABCA 20 at paras 7, 14.

[23] I note that I have not considered or double-counted matters already fairly decided as part of the previous costs awards in the SVR Action: ***Decision*** at paras 19-21.

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[31] Contrary to Kostic's submissions that SVR effectively seeks solicitor-client costs "at nearly five times the Schedule C figure"[24], SVR does *not* claim solicitor-client costs. SVR conceded that solicitor-client costs were not warranted. I agree that solicitor-client costs are not warranted.

4. Appropriate Scale and Quantum

[32] I further address additional considerations and arguments below:

(a) with respect to Kostic's argument that SVR has not proven its costs, I addressed a similar argument in ***Kostic v AIG Insurance Company of Canada***, 2026 ABKB 702 at paras 21-22. In the exercise of my discretion, I have given limited weight to counsel's representations. I have decided that determining costs under Schedule C is most appropriate for the Applications;

(b) with respect to Kostic's reference to SVR's insurer, I reject any argument, to the extent it is made, that SVR is not entitled to costs because it is insured: ***2026 ABKB 702*** at para 23(e); ***Decision*** at paras 146-150; ***Piikani Nation v Kostic***, 2018 ABCA 275 at para 13 (and cases cited therein);

(c) with respect to Kostic's arguments about her financial situation, Kostic has not provided further evidence beyond what was filed before I made the ***Decision***. I have already held Kostic's evidence was comprised largely of bare assertions or conclusory statements, which are given little weight: ***Decision*** at paras 131, 200-201; ***2026 ABKB 702*** at para 23(g), citing ***McDonald v Sproule Management GP Limited***, 2023 ABKB 587, aff'd ***Sproule Management GP Limited v McDonald*** (November 6, 2024), Calgary (ABCA) (Antonio, Woolley and Feehan JAs). In any event, impecuniosity is not generally a sufficient basis to refuse costs or to prevent costs from having effect: ***2026 ABKB 702*** at para 23(g), citing ***Anderson v Canada Safeway Limited***, 2005 ABCA 6 at para 3; ***Bruen v University of Calgary***, 2019 ABCA 275 at para 4; ***McCargar v Metis Settlements General Council***, 2025 ABCA 33 at paras 47-48. Likewise, various Canadian cases seem to accord with the view that costs should not be denied because the successful party can afford it or comparatively has more resources than the unsuccessful party: ***McCargar*** at para 49 (and cases cited therein);

(d) Kostic's self-representation is relevant, and I factored that into my assessment based on the principles summarized in ***2026 ABKB 702*** at para 23(h) (and cases cited therein);

(e) the parties agreed that, if I apply Schedule C, column 4 is the appropriate column. I agree, including because this is consistent with Kostic's claim made in her summary judgment materials, and my approach in the ***Decision*** at paras 173-174 and ***2026 ABKB 702*** at para 23(f);

(f) with respect to Kostic's argument about multiple counsel, SVR has not sought costs for two sets of counsel. To the extent Kostic's argument is that multiple sets of costs

[24] Kostic Response at paras 58-59, 62.

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for SVR and AGA are not appropriate, I disagree. Where parties with identical or similar interests are represented by multiple counsel, multiple sets of costs do not necessarily follow: ***Goldstick Estates (Re)***, 2019 ABCA 508 at para 33. On the other hand, where multiple parties are involved, it is to be expected that there may be multiple awards of costs made where parties are separately represented and they do not have identical interests: ***Al-Ghamdi v Alberta***, 2017 ABCA 208 at para 14. Further, courts have discretion to adjust for unnecessary or excessive counsel duplication: see, for example, ***Winslow v Thivierge***, 2026 ABKB 422 at para 29(h); ***Richardson v Schafer***, 2024 ABKB at para 24. AGA's interests were different and its involvement was limited to that of the Crown, as a non-party, responding to a request to fund private litigation or a court-directed investigation. I make no adjustment for counsel duplication in this case;

(g) I agree with SVR that an inflation adjustment of 1.25 is appropriate: ***2026 ABKB 702*** at para 25(a), citing ***ASB (Re)***, 2026 ABKB 186 at para 23 (and cases cited therein);

(h) I agree with SVR that a 1.5X multiplier is appropriate to reflect the complexity caused by Kostic's litigation conduct, which increased costs. This is consistent with my approach in ***2026 ABKB 702*** at para 25(c). However, I do not find that the multiplier is appropriate for all steps. It may not always be appropriate to apply multipliers used to address litigation-conduct-caused complexity to all litigation steps. Sometimes it may be appropriate to tailor its application to specific steps;

(i) I disagree with Kostic's argument that SVR should not be entitled to costs for the questioning of KEM. Kostic's argument is unclear.[25] It was Kostic's choice to conduct the questioning of KEM and it is a proper component of costs (with multipliers);

(j) with respect to SVR's claim for costs of two CMCs, I agree with Kostic that the June 23, 2025 CMC should not be included as claimed. As set out in Endorsement #13, that CMC addressed four Case Managed Actions (including the SVR Action), so only 25% of item 9(1) should be included. The CMC also involved other issues in the SVR Action, which warrants a further reduction.[26] In contrast, the full amount for the October 24, 2024 CMC is appropriate. However, both CMCs were at the direction of the Court, and Kostic's conduct in relation thereto does not warrant costs enhancement. The 1.5X multiplier is not appropriate for these CMCs;

(k) I am not satisfied that item 6(1) of Schedule C is appropriate for Kostic's extension request granted October 7, 2025, as claimed by SVR. I have been unable to confirm on the record before me that SVR consented to this extension. In the circumstances, I treat it as a without notice application under item 6(2): ***Williamson v Best Plumbing & Heating Supplies Ltd***, 2000 ABQB 655 at para 13. Further, there is

[25] Kostic Response at para 53.

[26] Kostic's "Joinder Application", as defined in ***2026 ABKB 702***, was also addressed at this CMC. I did not award interim costs for this CMC in ***2026 ABKB 702***. I find that 75% of the CMC costs associated with the SVR Action related to these Applications. Accordingly, item 9(1) for this CMC is calculated as 75% of 25% (or 18.75%).

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no basis to include the 1.5X multiplier as the extension request was reasonable and quickly granted; and

(l) an additional amount is appropriate to address SVR's submission of multiple briefs. As per section 2(1) of Schedule C, item 8(1) covers "all material read or written" for the Applications. However, the Applications required multiple briefs over time, with separate briefs to address SVR's application and the Kostic Applications. SVR's briefs were concise and of significant assistance to the Court. I am not satisfied that the 1.5X multiplier alone sufficiently addresses the additional costs incurred for the additional briefs. I find that an additional amount of $675 is an appropriate additional amount, based on a proxy amount for one extra brief (based on the difference between Schedule C, column 4 item 8(1)(a) (contested application with a brief) and item 7(1) (contested application without a brief).

[33] Accordingly, I award SVR $12,834 (before GST) for legal fees, based on the items claimed which I have found appropriate, as follows:

Item No.	Item	Amount ($)	1.25X Inflation Adjustment	1.5X Multiplier Adjustment	Total ($)
5(2)	September 2, 2021 Questioning	1,685	2,106	3,159	3,159
9(1)	October 24, 2024 CMC	1,080	1,350	-	1,350
9(1)	June 23, 2025 CMC	203	253	-	253
6(2)	October 7, 2025 Extension	135	169	-	169
8(1)(a)	March 10, 2026 application - First 1/2 day	2,360	2,950	4,425	4,425
8(1)(b)	March 10, 2026 application - Second 1/2 day	1,180	1,475	2,213	2,213
	Additional Briefs	675	844	1,266	1,266
	TOTAL				**12,834**

[34] With respect to disbursements, SVR did not provide proof of the disbursements claimed. In the circumstances, and having regard to the bill of costs submitted and the likely cost and time to conduct an assessment, in these unique circumstances I exercise my discretion to award SVR lump sum disbursements in the amount of $500 before GST.

[35] With respect to AGA, I find its claim of $2,360 to be conservative and reasonable, and award it this all-inclusive amount. AGA made no claim for disbursements.

[36] Finally, given Kostic's request for deferral of costs, I have also considered whether to defer payment of these costs until after trial. This may be appropriate where a party of modest means brings an unsuccessful but well-founded or necessary interlocutory application, or for other reasons: ***566320 Alberta Ltd v Lethbridge (City of)***, 2005 ABCA 244 at para 10. I am not satisfied that cost payment deferral is appropriate in this case. The Kostic Applications were not well-founded, and there is no compelling reason to defer payment in the circumstances.

5. Conclusion re: Costs of the Applications

[37] I award SVR legal costs of $12,834, plus disbursements of $500, for a total of $13,334 (plus GST). I award AGA legal costs in the all-inclusive amount of $2,360. These are payable forthwith and in any event of the cause.

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B. Penalty

[38] I have recently summarized general principles with respect to rule 10.49 and rule 1.5(6) in ***H2 Canmore Apartments LP v Cormode & Dickson Construction Edmonton Ltd***, 2024 ABKB 424 at paras 121-132. I incorporate those principles by reference and do not reproduce them here.

[39] I have considered other factors, including points that SVR raised previously in ***2026 ABKB 702***, as summarized in paras 32-33.

[40] As noted in ***2026 ABKB 626*** at paras 184-185, I struck various aspects of Kostic's 2025 PICA Application before I approved it to proceed, because Kostic filed something that went well beyond what CMJ Graesser contemplated or approved, Kostic contravened the leave requirements, and because aspects of the application "would unnecessarily complicate the hearing of the SFC Application and the Cross Application". Notwithstanding those directions, Kostic continued to pursue the struck relief in blatant disregard of the Court's direction. As feared, this unnecessarily complicated the Applications. I have found Kostic's approach to be egregious: ***2026 ABKB 626*** at para 186. It interfered with the proper and efficient administration of justice.

[41] Kostic has provided no compelling reason not to levy a penalty.

[42] Kostic's conduct continues her trend of ignoring the Court's directions when it suits her, or being wilfully blind to or reckless about the Court's directions, despite numerous warnings and past penalties: ***2026 ABKB 702*** at paras 29-34. Kostic frequently makes unfounded allegations of unfair or unequal treatment. She also fails to take meaningful ownership or responsibility for her own actions, often preferring to blame others.

[43] Kostic's selective approach to court directions must be further denounced and deterred with another penalty. I repeat the warning that "she can expect further increased sanctions in the future if she fails to follow the Court's directions": ***2026 ABKB 702*** at para 32.

[44] I order Kostic to forthwith pay a penalty to the court clerk in the amount of $600, and to provide my office electronic proof that she has done so.

C. Costs of the Costs Process

[45] As noted above, Kostic failed to follow my directions with respect to the costs process, raised matters more appropriately left to the appeal process, and attempted to relitigate aspects of the Applications.

[46] SVR provided detailed written costs submissions. It has been substantially successful in obtaining a costs award payable forthwith, but in an amount materially lower than claimed. SVR claims a $750 lump sum, similar to what was awarded in ***2026 ABKB 702*** at para 36. After considering rule 10.33 factors and Schedule C, and subject to any settlement offers that may have been made on the question of costs of the Applications, I find that a lump sum cost award of $750 (plus GST) in favour of SVR for the costs process is appropriate, fair, and reasonable.

[47] AGA did not seek costs of the costs process. It submitted a short, two-paragraph letter. I do not award AGA any costs relating to the determination of costs.

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[48] If any party made an offer to settle costs of the Applications that they wish me to consider, they may provide it to my office for my consideration **within one week of these Reasons**, failing which this will be my costs order for the costs process in respect of these Applications.

V. Conclusion

[49] I order costs of the Applications, levy a penalty against Kostic, and grant SVR costs of the costs process, all as set out above. I direct counsel for SVR to prepare the order. The approval of Kostic and AGA to the form or order is not required.

Heard by written submissions dated the 6th, 7th and 22nd days of October, 2026.
Dated at the City of Calgary, Alberta this 27th day of October, 2026.

M.A. Marion
J.C.K.B.A.

Appearances:

Liliana Kostic
Self-represented litigant

John Gilbert
for Scott Venturo Rudakoff LLP, Dominic Venturo, Dan Horner, Katrina Edgerton-McCutchan a.k.a. Katrina Edgerton-McGhan

Justin Doll
for the Attorney General of Alberta

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