

**IN THE SUPREME COURT OF THE YUKON TERRITORY**

Citation: *Koch et al v. Estate of Koch*, 2003 YKSC 66

Date: 20030318  
Docket : S.C. 01-A0158  
Registry: Whitehorse

Between:

GEORGE KOCH AND NORINE KOCH  
BY THEIR *GUARDIAN AD LITEM* KAREN MACDERMOTT

Petitioners

And:

ESTATE OF HELMUT KOCH, DECEASED

Respondent

Before: Mr. Justice R.S. Veale

Appearances:  
James Tucker  
Richard Buchan

For the Petitioners  
For the Respondent

**MEMORANDUM OF RULING  
DELIVERED FROM THE BENCH**

[1] VEALE J. (Oral): I am going to order the appointment then, of Karen MacDermott as the *Guardian ad litem* of George Koch and Norine Koch.

[2] I am going to order that examinations for discovery may proceed.

[3] I am going to order costs in the cause of this application.

[4] The real issue, I think, behind the motions was the question of the status of the individuals involved. So costs will be in the cause, and it does not have to be part of the order, but I am assured by Mr. Tucker that he has advised Ms. MacDermott that she may be subject to a cost order, but that will not be part of the order.

[5] Thank you.

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VEALE J.