



# THE COURT OF APPEAL

## Civil

**APPROVED**

**NO REDACTION NEEDED**

**Neutral Citation No. [2024] IECA 254**

**Court of Appeal Record Number: 2023/283**

**High Court Record Number: 2023/1818P**

**Binchy J.  
Meenan J.  
O'Moore J.**

**BETWEEN/**

**ARNAUD GAULTIER AND SUP PLIABLE LIMITED**

**PLAINTIFFS/APPELLANTS**

**- AND -**

**MARK REILLY, AINE MCGUIGAN, LOUISE SWORDS**

**DEFENDANTS/RESPONDENTS**

**RULING ON COSTS by Mr. Justice Charles Meenan delivered on the 24<sup>th</sup> day of October 2024**

1. I refer to the judgment in this matter, delivered on 29 April 2024. The appellant's appeal was dismissed. In the course of this judgment, I made a number of observations (para. 25) where I stated, "*the appellant engages in litigation that seeks reliefs unknown to the law, seeks to relitigate matters that have already been clearly decided and attempts to revisit judgments without any basis for doing so.*" I also referred to an email from the appellant to the second named respondent, wherein the appellant refers to the steps which he

has taken to put his assets into his wife's name "*so as to render at naught any costs orders that will inevitably be made against him.*" (para. 25)

2. At the conclusion of the judgment, I indicated that the provisional view of the Court was that the respondents, having been "*entirely successful*" in defeating the appeal, were entitled to their costs (to include all reserved costs) of the appeal. The parties were invited to file written submissions should they wish to dispute this provisional view.

**Submissions: -**

3. In his submission, Mr. Gaultier made a pointless and gratuitous attack on the integrity of the Judges who heard the appeal. The appellant criticised the terms of the judgment rather than addressing the issue of costs. No serious attempt was made to provide any reasons why, the respondents having been "*entirely successful*" in the appeal, ought not to be awarded their costs.

4. In the course of his submission, Mr. Gaultier made an "application to review/revisit" the judgment based on his various stated criticisms. Such criticisms are not grounds for such an application and the judgment will not be reviewed or re-visited. Such a review can only be ordered in exceptional circumstances.

5. By way of response, the respondents in their written submissions referred to the provisions of s. 169(1) of the Legal Services Regulation Act 2015 and stated that Mr. Gaultier had failed to identify any issue which the Court might take into account to exercise its discretion not to award costs in their favour.

**Conclusion: -**

6. Having regard to the foregoing and having considered the written submissions of both the appellant and the respondents, the Court will make an order dismissing the appeal together with an order that Mr. Gaultier, the appellant, pay the costs of the appeal (together

with any reserved costs) to the respondents, such costs to be adjudicated in default of agreement.

**7.** As this ruling on costs is being delivered electronically, Binchy and O'Moore JJ. have authorised me to record their agreement with it.