

Date: 20070516

Docket: T-1517-05

Citation: 2007 FC 526

BETWEEN:

MAURICE PHILIPPS

Applicant

and

LIBRARIAN AND ARCHIVIST OF CANADA

Respondent

ASSESSMENT OF COSTS – REASONS

DIANE PERRIER, ASSESSMENT OFFICER

[1] This is an assessment of the applicant's bill of costs following a judgment of the Court that allowed the application for judicial review with costs.

[2] On January 15, 2007, the applicant, who is self-represented, filed the bill of costs and asked that it be assessed without personal appearance by the parties. The parties submitted their representations against the bill of costs.

[3] In *Lavigne v. Canada (Human Resources Development)* (1998), 229 N.R. 205 (F.C.A.), it was held that someone who represents him or herself and is not represented by counsel is not

entitled to a fee for assessable services. Therefore, I cannot agree with the representations by the applicant and the respondent pertaining to fees for assessable services.

[4] Accordingly, the disbursements in the amount of \$2,276.15 for the applicant's travel, parking, office equipment and meals cannot be allowed since they are expenses incurred in the ordinary course of a case. The same applies to loss of earnings since Tariff B provides nothing for someone who is self-represented. However, I have allowed photocopies for the documents that the applicant filed with the Court since there is no doubt that the applicant had to make photocopies to produce and serve the documents in the docket. It is accepted practice to allow \$0.25 per page; I thus allowed 18 pages X 4 copies x \$0.25 = \$18 for photocopies of the notice of application and 217 pages X 5 copies x \$0.25 = \$271.25 for the applicant's record, for a total of \$289.25. I did not allow any photocopies for the motions that were brought in this docket because the Court orders stated "no costs." I also allowed postage costs in the amount of \$7.76 for service of the notice of application, but I did not allow the sum of \$10 for postage costs since disbursements can only be allowed for the documents permitted in Tariff B. Therefore, the disbursements are allowed in the amount of \$297.01.

[5] I have allowed the Registry fees under Tariff A that the applicant paid to file the notice of application, i.e. \$50, and the requisition for a hearing date in the amount of \$50. The court costs under Tariff A are accordingly allowed in the amount of \$100.

[6] The applicant's bill of costs submitted at \$2,276.15 is allowed in the amount of \$397.01. A certificate of assessment will be issued for this amount.

DIANE PERRIER
ASSESSMENT OFFICER

QUÉBEC, QUEBEC
May 16, 2007

FEDERAL COURT

SOLICITORS OF RECORD

DOCKET: T-1517-05

STYLE OF CAUSE: MAURICE PHILIPPS and LIBRARIAN AND
ARCHIVIST OF CANADA

ASSESSMENT OF COSTS WITHOUT PERSONAL APPEARANCE

REASONS OF DIANE PERRIER, ASSESSMENT OFFICER

DATED: May 16, 2007

SOLICITORS OF RECORD:

Anne-Marie DesGens
Department of Justice Canada
Montréal, Quebec

FOR THE RESPONDENT