

Date: 20080128

Docket: T-1167-06

Citation: 2008 FC 107

Between:

PETER GARTH HILL

Plaintiff

and

HER MAJESTY THE QUEEN

Defendant

ASSESSMENT OF COSTS – REASONS

JUDITH CHARLES, ASSESSMENT OFFICER

[1] This is an assessment of the Defendant's Bill of Costs following the Court's granting of the Defendant's notice of motion for an Order pursuant to Rule 216 of the Federal Courts Rules. Costs were awarded to the Defendant.

[2] The Defendant filed the Bill of Costs and an affidavit of disbursements on April 17, 2007. Upon review, it was determined that the assessment would be done in writing and so a timetable for the filing of materials was issued.

[3] The Defendant did not file further documents. By way of letter dated November 29, 2007, the Plaintiff's counsel advised that he does not have instructions from the Plaintiff but under the circumstances, he did not anticipate the Plaintiff contesting the Defendant's Bill of Costs.

[4] The Defendant's fees are allowed at \$1504.80 for the following items per Tariff B: Item 2 (Preparation and filing of defence) 4 units; Item 5 (Preparation and filing of a contested motion) 5 units; Item 26 (Assessment of Costs) 2 units.

[5] The Defendant submitted \$533.58 in disbursements all of which are substantiated by the affidavit filed in support of the Bill of Costs and is therefore allowed.

[6] The Bill of Costs totalling \$2038.38 is allowed. A certificate of assessment in this amount will be issued.

"Judith Charles"

JUDITH CHARLES
ASSESSMENT OFFICER

HALIFAX, NOVA SCOTIA
January 28, 2008

FEDERAL COURT OF APPEAL

NAME OF COUNSEL AND SOLICITORS OF RECORD

DOCKET: T-1167-06

STYLE OF CAUSE: PETER GARTH HILL v. HER MAJESTY THE
QUEEN

ASSESSMENT IN WRITING WITHOUT PERSONAL APPEARANCE OF PARTIES

PLACE OF TAXATION: Halifax, Nova Scotia

**ASSESSMENT OF COSTS –
REASONS BY:** JUDITH CHARLES, ASSESSMENT OFFICER

DATE OF REASONS: January 28, 2008

SOLICITOR OF RECORD:

IOSIPESCU, WHITEHEAD &
METLEGE
Halifax, NS

FOR THE PLAINTIFF

John H. Sims, Q.C.
Deputy Attorney General of Canada
Halifax, NS

FOR THE DEFENDANT