

Date: 20080128

Docket: 06-A-16

Citation: 2008 FCA 34

Between:

IVAN MACDONALD

Applicant

and

ATTORNEY GENERAL OF CANADA

Respondent

ASSESSMENT OF COSTS –REASONS

JUDITH CHARLES, ASSESSMENT OFFICER

[1] This is the assessment in writing of the Respondent's costs following the Order of the Court dated April 6, 2006. On April 10, 2007, a timetable was issued directing the parties to make written submissions.

[2] On October 8, 2007, the Applicant sent a letter to the Court seeking the reopening of A-329-01 as well as challenging costs having been awarded to the Respondent. On October 17, 2007, the Respondent submitted a letter in response.

[3] On December 5, 2007, the Court issued a direction which read in part “The determination of the amount of costs is a matter for the assessing officer”.

[4] The Respondent claimed 3 units for the assessable service item 5 “Preparation and filing of a contested motion including all materials”. Since the tariff provides for a range of 3-7 units, this item is allowed at \$360.00. Item 26 “Assessment of Costs” at 2 units is allowed at \$240.00. All disbursements established by affidavit are allowed as claimed in the amount of \$205.94.

[5] The costs of the Respondent are assessed in the amount of \$805.94. A certificate is issued for that amount.

Signed: “Judith Charles”

JUDITH CHARLES

ASSESSMENT OFFICER

HALIFAX, NOVA SCOTIA
January 28, 2008

FEDERAL COURT OF APPEAL

NAME OF COUNSEL AND SOLICITORS OF RECORD

DOCKET: 06-A-16

STYLE OF CAUSE: IVAN MACDONALD v. ATTORNEY GENERAL OF
CANADA

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:

John H. Sims, Q.C.
Deputy Attorney General of Canada
Montréal, Quebec

FOR THE RESPONDENT