



T-1559-91

**BETWEEN:**

SYLVIE RONDEAU,

Plaintiff,

**AND:**

HER MAJESTY THE QUEEN,

Defendant.

**TAXATION OF COSTS - REASONS**

**M. LAMY**  
**TAXING OFFICER**

On July 4, 1997, Caroline Morin attended before me to have the defendant's costs taxed after the action was ordered dismissed with costs by the Prothonotary, Richard Morneau, on September 9, 1996. The plaintiff was not represented at the hearing.

In her bill, the defendant is claiming the following items of Tariff B:

<b><u>Items</u></b>	<b><u>Taxable services</u></b>	<b><u>Column III/Units</u></b>
2	Preparation and filing of defence	5
5	Preparation and filing of first motion to dismiss on 25/01/95	3
5	Preparation and filing of second motion to dismiss on 28/08/96	3
8	Preparation for an examination for discovery	3
9	Attending on examination (1 hour)	3
26	Taxation of costs	2

Having regard to the criteria set out in Rule 346(1.1), all the fees requested are allowed, with the exception of services provided for the preparation and filing of the first motion to dismiss, since it was withdrawn by the defendant without the question of costs being raised.

Since the second motion to dismiss, heard by the Court on September 9, 1996, was not contested, I allow 2 units under item 4 instead of the 3 units requested under item 5. At the taxation, Ms. Morin amended her bill to add one unit for item 6, for appearance by counsel for the Crown on September 9. Since the hearing of that motion lasted 5 minutes, \$8.03 is allowed for that item (0.083 x \$100.00).

Ms. Morin also added \$52.86 at the hearing concerning costs, for service of the second motion to dismiss and for the appointment and the bill of costs. That amount is in addition to the other expenses incurred: \$130.65 for service of various documents and \$96.63 for stenographer fees. Having regard to the evidence submitted by Ms. Morin, all of the disbursements claimed under Part III of the Tariff are allowed.

The defendant's costs are taxed and allowed in the amount of \$1,785.44. A certificate will issue accordingly.

MONTRÉAL, QUEBEC, THIS 8th DAY OF JULY 1997.

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**MICHELLE LAMY**  
**MICHELLE LAMY**  
**TAXING OFFICER**

Certified true translation

C. Delon, LL.L.

FEDERAL COURT OF CANADA

NAMES OF COUNSEL AND SOLICITORS OF RECORD

**COURT FILE NO:** T-1559-91

**BETWEEN:** SYLVIE RONDEAU,  
Plaintiff,

**AND:**  
HER MAJESTY THE QUEEN,  
Defendant.

**PLACE OF TAXATION:** Montréal, Quebec

**DATE OF TAXATION:** July 4, 1997

**REASONS OF THE TAXING OFFICER, M. LAMY**

**DATE OF REASONS FOR TAXATION:** July 8, 1997

**APPEARANCES:**

Caroline Morin for the defendant

**SOLICITORS OF RECORD:**

Lacoste, St-Laurent et Associés for the plaintiff  
Joliette, Quebec

Department of Justice Canada for the defendant  
Montréal, Quebec