

**Date: 20071105**

**Docket: A-342-06**

**Citation: 2007 FCA 357**

**BETWEEN:**

**DR. NOEL AYANGMA**

**Appellant**

**and**

**THE TREASURY BOARD OF CANADA**

**Respondent**

**and**

**PUBLIC SERVICE LABOUR RELATIONS BOARD**

**Respondent**

**ASSESSMENT OF COSTS - REASONS**

**Charles E. Stinson**  
**Assessment Officer**

[1] The Appellant formally abandoned this appeal of a decision of the Federal Court requiring security for costs. The Court dismissed with costs the Appellant's motion for a stay of the Federal Court's decision. I issued a timetable for written disposition of the assessment of the bill of costs of the Respondent, the Treasury Board of Canada (the Respondent), addressing the motion for a stay.

[2] The Appellant did not file any materials in response to the Respondent's materials. My view, often expressed in comparable circumstances, is that the *Federal Courts Rules* do not contemplate a litigant benefiting by having an assessment officer step away from a neutral position to act as the litigant's advocate in challenging given items in a bill of costs. However, the assessment officer cannot certify unlawful items, i.e. those outside the authority of the judgment and the tariff. I examined each item claimed in the bill of costs and the supporting materials within those parameters. The total amount claimed is generally arguable as reasonable in the circumstances and is allowed as presented at \$875.00 plus \$240.00 (the minimum counsel fee allowance under item 26 for assessment of costs) for a total of \$1,115.00

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"Charles E. Stinson"  
Assessment Officer

**FEDERAL COURT OF APPEAL**

**SOLICITORS OF RECORD**

**DOCKET:** A-342-06

**STYLE OF CAUSE:** DR. NOEL AYANGMA v. THE TREASURY BOARD  
OF CANADA et al.

**ASSESSMENT OF COSTS IN WRITING WITHOUT PERSONAL APPEARANCE OF  
THE PARTIES**

**REASONS FOR ASSESSMENT OF COSTS:** CHARLES E. STINSON

**DATED:** November 5, 2007

**WRITTEN REPRESENTATIONS:**

n/a FOR THE APPELLANT  
(self-represented)

Mr. Richard E. Fader FOR THE RESPONDENT

**SOLICITORS OF RECORD:**

n/a FOR THE APPELLANT

John H. Sims, Q.C. FOR THE RESPONDENT  
Deputy Attorney General of Canada