

Date: 20071206

Docket: A-407-05

Citation: 2007 FCA 387

BETWEEN:

LLOYD STURTEVANT

Appellant

and

HER MAJESTY THE QUEEN

Respondent

ASSESSMENT OF COSTS – REASONS

DIANE PERRIER, ASSESSMENT OFFICIER

[1] This is an assessment of the bill of costs due to the respondent following a judgment dated September 14, 2006, dismissing the appeal filed from a decision of the Tax Court of Canada.

[2] On January 22, 2007, counsel for the respondent filed his bill of costs and asked that it be assessed without the appearance of the parties. On June 15, 2007, letters setting a schedule were

sent to the parties. To date, we have received no written submissions from the parties. I am now prepared to proceed with assessment of the bill of costs based on the documentation on the record.

[3] Fees are set at \$1,399.92 for services rendered under the following items: item 19 – memorandum of fact and law (5 units), item 22 – counsel fees at hearing for first counsel, for each hour (2 units x 1,833 hours), item 25 – services after judgment (1 unit) and item 26 – assessment of costs (2 units) of Tariff B. I have reduced the number of units for the assessment of costs to 2 since this was a simple and uncontested case.

[4] Disbursements in the amount of \$43.86 are allowed as claimed, since they were proven by the affidavit of Dany Leduc and the accompanying exhibits.

[5] The bill of costs submitted for \$1,683.78 is allowed in the amount of \$1,443.78. A certificate of assessment will be issued in this matter.

“Diane Perrier”

DIANE PERRIER
ASSESSMENT OFFICER

QUÉBEC, QUEBEC
December 6, 2007

Certified true translation
Susan Deichert, Reviser

FEDERAL COURT OF APPEAL

SOLICITORS OF RECORD

DOCKET: A-407-05

STYLE OF CAUSE: LLOYD STURTEVANT v.
HER MAJESTY THE QUEEN

ASSESSMENT OF COSTS WITHOUT APPEARANCE OF THE PARTIES

REASONS BY: DIANE PERRIER, ASSESSMENT
OFFICER

DATED: December 6, 2007

SOLICITORS OF RECORD:

Jodoin, Huppé
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FOR THE APPELLANT

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FOR THE RESPONDENT