

Date: 20071231

Docket: A-374-06

Citation: 2007 FCA 413

BETWEEN:

NOOR HOSSAIN

Applicant

and

THE MINISTER OF CITIZENSHIP AND IMMIGRATION

Respondent

ASSESSMENT OF COSTS- REASONS

Willa Doyle
Assessment Officer

[1] The Respondent filed a Bill of Costs with the Federal Court of Appeal Registry in Montréal on September 5, 2007 following a Judgment of the Federal Court of Appeal. The July 6, 2007 Judgment of the Federal Court of Appeal as pronounced by the Honourable Mr. Justice Létourneau, JA stated: "The appellant has failed to respond to the Notice of Status Review of May 16, 2007 within a stipulated time. The Appeal is dismissed with costs".

[2] The Respondent requested the matter proceed without personal appearance. On October 23, 2007 I issued a timetable for written disposition of the assessment of the Respondent's Bill of Costs. To date, I have not received any submissions beyond the Bill of Costs and supporting affidavit. I will therefore now proceed with the assessment based on the documentation on the file.

[3] The Respondent is seeking fees for two assessable services; six units for item 19 – preparation of the Respondent's memorandum of fact and law and three units for item 26 – assessment of costs. Upon looking at the file, it is my respectful opinion, that I must reduce the allowable assessable services units to the lower range of *Federal Courts Rules* Tariff B column 3 for each of these two services. This is based on the fact that the matter appears straightforward with the Respondent's memorandum containing seventeen pages in total coupled with the fact that there was no opposition to the assessment of costs. Item 19 will be allowed at four units and item 26 will be allowed at two units. The total assessable services on this Bill of Costs will therefore be reduced from the claimed nine units to an allowed six units.

[4] Disbursements are awarded as claimed in the amount of \$85.40 since they were established in the affidavit of Dominique Castagne and supported by attached exhibits.

[5] The Bill of Costs presented at \$1,230.20 is accordingly assessed and allowed in the amount of \$848.60. A certificate is issued in the Federal Court of Appeal proceeding for \$848.60.

Willa Doyle
Assessment Officer

Fredericton, New Brunswick
December 31, 2007

FEDERAL COURT OF APPEAL

NAMES OF COUNSEL AND SOLICITORS OF RECORD

DOCKET: A-374-06

STYLE OF CAUSE: Noon Hoosain – and
– The Minister of Citizenship and
Immigration

MOTION DEALT WITH IN WRITING WITHOUT APPEARANCE OF PARTIES

REASONS FOR ORDER BY: W. Doyle, Assessment Officer

DATED: December 31, 2007

WRITTEN REPRESENTATIONS BY:

FOR THE APPLICANT

FOR THE RESPONDENT

SOLICITORS OF RECORD:

William Sloan
Montréal, Québec
John H. Sims, Q.C.
Deputy Attorney General of Canada

FOR THE APPLICANT

FOR THE RESPONDENT