IN THE MATTER OF THE
PERSONAL INFORMATION PROTECTION
AND ELECTRONIC DOCUMENTS ACT,
2000, c. 5

Between:

ROBERT LAVIGNE

Applicant

and

CANADIAN UNION OF POSTAL WORKERS

Respondent

ASSESSMENT OF COSTS – REASONS

MICHELLE LAMY, ASSESSMENT OFFICER

[1]   Pursuant to the judgment dated August 12, 2003, awarding costs to the respondent, this assessment proceeded without personal appearance by the parties.

[2]   In light of the parties' submissions, it seems reasonable to me to award the amount of $1,796.67 to the respondent for the services rendered under items 5 (6 units), 6 (2 units/hour X 40 minutes), 8 (4 units), 9 (2 units) and 26 (3 units). The fees requested under item 2 are denied because there was no record filed within the meaning of rule 310 of the *Federal Court Rules, 1998*. The same can be said for item 24: the order dated August 12, 2003, is silent in this respect. I have reduced the number of units requested for the assessment of costs since it was not a very complex matter.

[3]   The costs incurred in this matter for stenographer fees ($374.98) and costs of service ($27.79) are awarded. The respondent was entitled to cross-examine the applicant on his affidavit, as provided in rule 308.

[4]   The respondent's bill of costs is assessed in the amount of $2,199.44. A certificate is issued for this amount.

   Signed: "Michelle Lamy"
MICHELLE LAMY
ASSESSMENT OFFICER

MONTRÉAL, QUEBEC

March 8, 2004

Certified true translation

Kelley A. Harvey, BA, BCL, LLB

DOCKET: **T-500-03**

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ASSESSMENT OF COSTS WITHOUT PERSONAL APPEARANCE

PLACE OF ASSESSMENT: Montréal, Quebec

REASONS OF MICHELLE LAMY, ASSESSMENT OFFICER

DATE OF REASONS: March 8, 2004

SOLICITORS OF RECORD:

Morency, Philion, Leblanc, Beaudry
Montréal, Quebec   FOR THE RESPONDENT