



**BETWEEN:**

LUCIANO GENTILE,

Plaintiff,

**AND:**

HER MAJESTY THE QUEEN,

Defendant.

**TAXATION OF COSTS - REASONS**

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

This action was dismissed with costs on January 6, 1988 by the Honourable Mr. Justice Dubé, as was the plaintiff's appeal of that decision to the Federal Court of Appeal.

Alain Gareau accordingly submitted bills for the taxation of his costs at trial and on appeal on May 8, 1997. The plaintiff's representative was absent although duly served.

Under Tariff B, Column III, the defendant claims items 2 (5 units), 7 (3 units), 8 (3 units), 9 (1 unit/3 hours), 13(a) (3 units), 13(b) (2 units), 14(a) (2 units/9 hours) and 26 (3 units).

In light of the criteria set out in Rule 346(1.1), that of the volume of work in particular, the requested fees are allowed in their entirety with the exception of item 26. In my view, 2 units would be fair compensation, since the taxation of costs was uncontested and took place at the same time as the taxation of the costs of the appeal. The amount of \$3,900.00 is accordingly allowed

for fees. As for the costs of \$129.00 for photocopies, they are allowed, as they seem reasonable in the circumstances.

The costs of the defendant in the instant case are taxed and allowed in the amount of \$4,029.00. A certificate is issued in that amount.

MONTREAL, QUEBEC, THE 12th DAY OF MAY 1997.

(signed)

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MICHELLE LAMY  
TAXING OFFICER

Certified true translation

Stephen Balogh

**Federal Court of Canada**

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Court No. T-6603-82

BETWEEN

LUCIANO GENTILE,

Plaintiff,

- *and* -

HER MAJESTY THE QUEEN,

Defendant.

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**TAXATION OF COSTS - REASONS**

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**FEDERAL COURT OF CANADA**

**COUNSEL AND SOLICITORS OF RECORD**

**COURT FILE NO.:** T-6603-82

**BETWEEN:**

LUCIANO GENTILE,

Plaintiff,

**AND:**

HER MAJESTY THE QUEEN,

Defendant.

**PLACE OF TAXATION:**

Montréal, Quebec

**DATE OF TAXATION:**

May 8, 1997

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

**DATE OF REASONS FOR TAXATION:**

May 12, 1997

**APPEARANCE:**

Alain Gareau

for the defendant

**SOLICITORS OF RECORD:**

Lechter & Segal  
Montréal, Quebec

for the plaintiff

Department of Justice of Canada  
Montréal, Quebec

for the defendant