

Date: 20080128

Docket: T-1814-06

Citation: 2008 FC 111

Between:

DALE TELFORD

Applicant

and

ATTORNEY GENERAL OF CANADA

Respondent

ASSESSMENT OF COSTS –REASONS

JUDITH CHARLES, ASSESSMENT OFFICER

[1] The Applicant filed a Notice of Application for judicial review of a decision of the Minister of National communicated by letter dated September 8, 2006. On January 23, 2007, the Respondent served and filed a notice of motion pursuant to Rule 369 of the Federal Courts Rules for an Order on consent referring the matter back to the Minister for reconsideration.

[2] On February 7, 2007, the Court (Mactavish J) granted the Respondent's motion and awarded costs to the Applicant fixed in the sum of \$400.00 plus reasonable and proper disbursements.

[3] Given the aforementioned Order of the Court, only the amount sought for disbursements will be decided in this assessment. It should be noted that an affidavit of disbursements was not filed, the amount claimed for the Federal Court filing fee of \$50 is document on the court file and is therefore allowed. Regarding the sums sought for the costs of photocopies, I relied on the approach taken in *Murphy v. M.N.R (2002), 291 N.R. 189* in which the assessment officer found that in the absence of proof of the actual costs of photocopying, a lump sum reflecting the number of copies required to satisfy the requirements of the Rules. Therefore the sum of \$15.12 is allowed. The same approach was taken with regard to the telecommunication costs given the small amount of \$28.64.

[4] The Applicant's Bill of Costs totalling \$493.76 is allowed. A certificate of assessment in this amount will be issued.

Signed: "Judith Charles"

JUDITH CHARLES

ASSESSMENT OFFICER

HALIFAX, NOVA SCOTIA
January 28, 2008

FEDERAL COURT

NAME OF COUNSEL AND SOLICITORS OF RECORD

DOCKET: T-1814-06

STYLE OF CAUSE: DALE TELFORD v. ATTORNEY GENERAL OF CANADA

ASSESSMENT IN WRITING WITHOUT PERSONAL APPEARANCE OF PARTIES

PLACE OF TAXATION: Halifax, Nova Scotia

ASSESSMENT OF COSTS – REASONS BY: JUDITH CHARLES, ASSESSMENT OFFICER

DATE OF REASONS: January 28, 2008

SOLICITOR OF RECORD:

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FOR THE RESPONDENT

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FOR THE APPLICANT