

Date: 20080910

Docket: T-364-07

Citation: 2008 FC 1019

BETWEEN:

SUPERINTENDANT OF BANKRUPTCY

and

ATTORNEY GENERAL OF CANADA

Moving Parties

and

SYDNEY H. PFEIFFER

and

PFEIFFER & PFEIFFER INC.

Respondents

ASSESSMENT OF COSTS – REASONS

DIANE PERRIER, ASSESSMENT OFFICER

[1] On April 23, 2007, the Court ruled with costs against the respondents and allowed the motion of the moving parties for the enforcement of an order of a federal board, commission or other tribunal dated July 13, 2005, under Part 12 of the *Federal Courts Rules*.

[2] On May 18, 2007, counsel for the moving parties submitted a bill of costs with a supporting affidavit and requested that the assessment be made without the appearance of the parties.

[3] On June 5, 2008, we sent letters to the parties establishing a timetable. To date, we have received no written submissions from the parties contesting the bill of costs and therefore I am now prepared to assess costs according to the documentation on the record.

[4] The fees to be assessed are allowed in the amount of \$1,204.80. I allowed the following fees: item 5 – preparation and filing of a contested motion (6 units), item 6 – appearance on a motion, for each hour (0.52 x 2 units), item 25 – services after judgment not otherwise specified and item 26 – assessment of costs (2 units). I adjusted item 6 because, according to the Court record of April 23, 2007, the hearing began at 9:55 am and ended at 10:26 am, that is, 31 minutes rather than the 15 minutes claimed.

[5] Disbursements are allowed in the amount of \$652.50. All disbursements are allowed except for travel costs because no Court order allowed travel costs for a second counsel. Therefore, I allowed printing costs and costs of bailiff services because the evidence was established by affidavit and the expenses seem reasonable to me. I allowed only one travel cost, that is, for Stéphanie Dion. However, I modified the number of kilometres between Montréal and Ottawa to 200 km x \$0.51= \$102, which appears to me to be more reasonable considering the distance between Ottawa and Montréal. Therefore, disbursements for the travel costs of one counsel are allowed in the amount of \$352.67.

[6] The bill of costs submitted in the amount of \$2,284.17 is allowed in the amount of \$1,857.30. A certificate of assessment will be issued for this amount.

MONTRÉAL, QUEBEC
September 10, 2008

“Diane Perrier”
DIANE PERRIER
ASSESSMENT OFFICER

Certified true translation
Susan Deichert, Reviser

**FEDERAL COURT
SOLICITORS OF RECORD**

DOCKET: T-364-07

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ASSESSMENT OF COSTS IN WRITING

REASONS BY: DIANE PERRIER, ASSESSMENT OFFICER

DATED: September 10, 2008

SOLICITORS OF RECORD:

John Sims
Deputy Attorney General of Canada
Ottawa, Ontario

FOR THE MOVING PARTIES

Spiegel Sohmer
Montréal, Quebec

FOR THE RESPONDENTS