

Federal Court



Cour fédéral

**Date: 20090811**

**Docket: T-562-07**

**Citation: 2009 FC 821**

[ENGLISH TRANSLATION]

**BETWEEN:**

**PATRICK SOUSA ANDRADE**

**Applicant**

**and**

**THE MINISTER OF PUBLIC SAFETY  
AND EMERGENCY PREPAREDNESS**

**Respondent**

**[ENGLISH TRANSLATION]**

**ASSESSMENT OF COSTS – REASONS**

**DIANE PERRIER, ASSESSMENT OFFICER**

[1] On February 21, 2008, the Court dismissed with costs the application for judicial review seeking a review of the legality of a decision by the respondent.

[2] On March 31, 2009, counsel for the respondent filed its bill of costs, supported by an affidavit from Marina Sushko and exhibits "A" and "B" inclusively, and sought its assessment

without appearance by the parties. Letters were sent to the parties to set a deadline for filing written representations. Having yet to receive any written representations from the parties, I am now prepared to assess the costs based on the documentation on record.

[3] The respondent is seeking the following costs: item 2 – preparation and filing of the respondent's record (7 units), item 13(a) – counsel fees: preparation for the hearing (5 units), item 14(a) – counsel fees: hearing held on February 19, 2008, (3 units x 0.5 hours) and item 26 – assessment of costs (6 units).

[4] On reading the record, I allowed all the items sought except item 26 – assessment of costs, for which I allowed two units, as I feel that the assessment is neither complex nor contested. The fees to be assessed are therefore allowed in the amount of \$1,860.

[5] The disbursements are allowed in the amount of \$1,008.54. I have allowed the following disbursements: photocopies of the respondent's record and additional book of authorities and bailiff costs for serving and filing the respondent's record, and the additional book of authorities because they seem reasonable and the evidence has been provided in the affidavit. I did not allow the photocopies of the notice to appear, as that document is not included in the fees to be assessed in Tariff B.

[6] The respondent's bill of costs was submitted and \$3,351.04 and is assessed and allowed at an amount of \$2,868.54. A certificate of assessment will be issued in that amount.

"Diane Perrier"  
-----  
DIANE PERRIER  
ASSESSMENT OFFICER

MONTRÉAL, QUEBEC  
August 11, 2009

**FEDERAL COURT**  
**SOLICITORS OF RECORD**

**DOCKET:** T-562-07

**STYLE OF CAUSE:** PATRICK SOUSA ANDRADE v. THE  
MINISTER OF PUBLIC SAFETY AND  
EMERGENCY PREPAREDNESS

**ASSESSMENT OF COSTS IN WRITING**

**PLACE OF ASSESSMENT** Montréal, Quebec

**ASSESSMENT OF COSTS – REASONS:** DIANE PERRIER,  
ASSESSMENT OFFICER

**DATED:** August 11, 2009

**SOLICITORS OF RECORD:**

Cavalière & Associés  
Montréal, Quebec

FOR THE APPLICANT

John H. Sims, QC  
Deputy Attorney General of Canada  
Montréal, Quebec

FOR THE RESPONDENT