

Federal Court



Cour fédérale

Date: 20090617

Docket: IMM-412-08

Citation: 2009 FC 639

[ENGLISH TRANSLATION]

BETWEEN:

**ELIDA LUZ ARTEAGA MENDOZA
ELIANA LOPEZ ARTEAGA**

FEDERAL COURT COUR FÉDÉRALE	
FILED	JUN 20 2018
STEVE TREMBLAY	
OTTAWA, ONT	29

Applicants

and

THE MINISTER OF CITIZENSHIP AND IMMIGRATION

Respondent

ASSESSMENT OF COSTS – REASONS

DIANE PERRIER, ASSESSMENT OFFICER

[1] On August 29, 2008, the applicant, who represents herself, filed a motion for extension of time to file the applicant's record. On September 16, 2008, Honourable Justice Teitelbaum dismissed the motion for extension of time with costs.

[2] On November 27, 2008, Honourable Justice Lemieux made a final decision dismissing the application for leave and judicial review. Therefore, I can proceed with assessing the costs of the motion for extension of time based on the parties' written submissions.

[3] The respondent claims the following fees in his bill of costs: item 2 – preparation and filing of the written submissions in response to the applicant's motion for extension of time (4 units) and item 26 – assessment of costs (2 units).

[4] The respondent should have claimed item 5 for the preparation and filing of written submissions in response to the motion for extension of time instead of item 2, which deals with the respondent's record.

[5] Since the respondent claims the minimum units for the claimed items, I will allow 3 units for item 5. Counsel fees are therefore allowed in the amount of \$600.

[6] The disbursement of \$55.69 for the fees to serve the respondent's motion record to the motion for extension of time are allowed as is, because they appear reasonable to me and because the evidence is shown by affidavit.

[7] As for Mr. Trudel's written submissions for the applicant, I cannot support them, because, as the respondent mentions in his written submissions, the order by Honourable Justice Teitelbaum indicated that the motion was dismissed with costs. Therefore, under Rule 400 of the *Federal Courts Rules*, only a judge may allow costs. Since the Court allowed the costs, the assessment

officer's role is to set the amounts of these costs. Accordingly, the respondent's bill of costs submitted at \$775.69 is allowed, and is assessed in the amount of \$655.69. A certificate of assessment will be issued for this amount.

MONTRÉAL, QUEBEC
2009-06-17

“Diane Perrier”

DIANE PERRIER
ASSESSMENT OFFICER

**FEDERAL COURT
SOLICITORS OF RECORD**

DOCKET: IMM-412-08

Between:

**ELIDA LUZ ARTEAGA MENDOZA
ELIANA LOPEZ ARTEAGA**

Applicants

and

THE MINISTER OF CITIZENSHIP AND IMMIGRATION

Respondent

ASSESSMENT OF COSTS IN WRITING

PLACE OF ASSESSMENT: Montréal, Quebec

REASONS OF: DIANE PERRIER, ASSESSMENT OFFICER

DATED: June 17, 2009

WRITTEN SUBMISSIONS:

Louis Trudel For the Applicants

Sylviane Roy For the Respondent

SOLICITORS OF RECORD:

John Sims
Deputy Attorney General of Canada
Ottawa, Ontario For the Respondent