

Federal Court

Cour fédérale

Date: 20100817

Docket: T-903-04

Citation: 2010 FC 821

[ENGLISH TRANSLATION]

BETWEEN:

SKANDER TOURKI

Applicant

and

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

Respondent

ASSESSMENT OF COSTS – REASONS

DIANE PERRIER, ASSESSMENT OFFICER

[1] This is an assessment of the applicant's costs following the Court's judgment on January 19, 2006, dismissing the applicant's action with costs.

[2] On June 17, 2010, the respondent's counsel filed a bill of costs and requested that the assessment be disposed of in writing. On June 29, 2010, an instruction was sent out to the parties setting a schedule for the filing of written representations. To this day, having received no written representations, I am now ready to assess the costs according to the documentation on record.

[3] The respondent claims the following fees: item 2 – defence preparation (7 units), item 7 – disclosure – affidavit of documents (5 units), item 8 – examination preparations (5 units), item 9 – attendance at the examination, for each hour (2:15 hours, February 1, 2005) (3 units), item 10 – preparation for the pre-trial conference, including the factum (6 units), item 11 – attendance at the examination, for each hour (40 minutes, May 18, 2005) (3 units), item 12 – notices to admit (3 units), item 13 a) – hearing preparation (5 units), item 13 b) – hearing preparation, for each day in Court after the first day (1 day) (3 units), item 14 a) counsel fees, hearing on December 12, 2005 (5:11) and on December 3, 2005 (6:45) (3 units), item 15 – preparation and filing of a written argument requested by the Court (7 units), item 25 – services rendered after the judgment not otherwise specified (1 unit), and item 26 – assessment of fees (6 units).

[4] The claimed fees are allowed in the amount of \$11,511.50, except for item 26, for which I've allowed 2 units, since the assessment is neither complex nor contested. On April 1, 2009, the unitary value of Tariff B was amended, changing from \$120 to \$130. I have therefore made the necessary adjustments.

[5] All disbursements claimed in the amount of \$1,817.83 are allowed for the photocopying fees, bailiff fees, and court reporter fees on February 1, 2005, since they seem reasonable to me, are not contested, and the evidence was done by affidavit.

[6] The bill of costs submitted by the respondent for \$12,923.83 is assessed and allowed in the amount of \$13,329.33. An assessment certificate will be issued for this amount.

MONTRÉAL, QUEBEC

August 17, 2010

“Diane Perrier”

DIANE PERRIER
ASSESSMENT OFFICER

FEDERAL COURT

SOLICITORS OF RECORD

DOCKET: T-903-04

STYLE OF CASE: SKANDER TOURKI
v. THE MINISTER OF PUBLIC SAFETY AND
EMERGENCY PREPAREDNESS

ASSESSMENT OF COSTS IN WRITING

PLACE OF HEARING: Montréal, Quebec

REASONS BY DIANE PERRIER, ASSESSMENT OFFICER

DATED: August 17, 2010

APPEARANCES:

Choquette, Beaupré, Rhéaume

FOR THE APPLICANT

Montréal, Quebec

Myles J. Kirvan
Deputy Attorney General of Canada
Montréal, Quebec

FOR THE RESPONDENT