

Date: 20080304

Docket: A-658-04

Citation: 2008 FCA 83

BETWEEN:

MARCHAND SYNDICS INC., trustee

GEORGES E. MARCHAND, trustee

BRUNO MARCHAND, trustee

Appellants

and

SYLVIE LAPERRIÈRE

Respondent

ASSESSMENT OF COSTS – REASONS

DIANE PERRIER, ASSESSMENT OFFICER

[1] This is the assessment of the respondent's bill of costs pursuant to the Federal Court of Appeal judgment dated November 10, 2006, dismissing the appeal of a Federal Court decision with costs under Column V of Tariff B.

[2] On December 20, 2006, the respondent filed her bill of costs and requested that it be taxed without personal appearance. On October 26, 2007, letters were sent to the parties setting out a

timetable. We received the parties' representations. I am now ready to assess the costs based on the documentation in the docket.

[3] The fees are allowed in the amount of \$3,600. The fees are allowed as follows: item 19 – memorandum of fact and law (10 units), item 22(a) – counsel fee on hearing of appeal to first counsel, per hour (3.5 hours x 4 units), item 25 – services after judgment (1 unit) and item 26 – assessment of costs (5 units). Pursuant to the respondent's request in her representations and based on the transcript of the hearing, I adjusted the length of the appeal hearing to 3.5 hours.

[4] On the other hand, all the expenses incurred in this matter are allowed in the amount of \$561.35 since they were established by affidavit and not challenged.

[5] In conclusion, the respondent's costs are assessed and allowed at \$4,161.35. A certificate of assessment is issued for this amount.

QUÉBEC, QUEBEC, March 4, 2008

“Diane Perrier”

DIANE PERRIER
ASSESSMENT OFFICER

Certified true translation
Mary Jo Egan, LLB

FEDERAL COURT OF APPEAL

SOLICITORS OF RECORD

DOCKET: A-658-04

STYLE OF CAUSE: MARCHAND SYNDICS INC.,
trustee and GEORGES E.
MARCHAND, trustee and BRUNO
MARCHAND, trustee v. SYLVIE
LAPERRIÈRE

ASSESSMENT OF BILL OF COSTS WITHOUT APPEARANCE BY THE PARTIES

REASONS BY DIANE PERRIER, ASSESSMENT OFFICER

DATED: March 4, 2008

WRITTEN SUBMISSIONS:

Jean-Philippe Gervais FOR THE APPELLANTS

Bernard Letarte FOR THE RESPONDENT

SOLICITORS OF RECORD:

Gervais & Gervais FOR THE APPELLANTS
Montréal, Quebec

John H. Sims, Q.C. FOR THE RESPONDENT
Deputy Attorney General of Canada
Ottawa, Ontario