

**Date: 20080709**

**Docket: A-271-06**

**Citation: 2008 FCA 233**

**BETWEEN:**

**ISTVAN SZEBENYI**

**Appellant**

**and**

**HER MAJESTY THE QUEEN**

**Respondent**

**ASSESSMENT OF COSTS - REASONS**

**Charles E. Stinson**  
**Assessment Officer**

[1] The Court dismissed with costs this appeal of a decision of the Federal Court which had dismissed the Appellant's action for damages of \$6 million for alleged negligence in the handling of his mother's sponsorship application. I issued a timetable for written disposition of the assessment of the Respondent's bill of costs.

[2] The Appellant did not file any materials in response to the Respondent's materials. My view, often expressed in comparable circumstances, is that the *Federal Courts Rules* do not contemplate a litigant benefiting by having an assessment officer step away from a neutral position to act as the litigant's advocate in challenging given items in a bill of costs. However, the

assessment officer cannot certify unlawful items, i.e. those outside the authority of the judgment and the tariff. I examined each item claimed in the bill of costs and the supporting materials within those parameters. The total amount claimed is generally arguable as reasonable within the limits of the award of costs and is allowed as presented at \$1,802.79.

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“Charles E. Stinson”  
Assessment Officer

**FEDERAL COURT OF APPEAL**

**SOLICITORS OF RECORD**

**DOCKET:** A-271-06

**STYLE OF CAUSE:** ISTVAN SZEBENYI v. HMQ

**ASSESSMENT OF COSTS IN WRITING WITHOUT PERSONAL APPEARANCE OF THE PARTIES**

**REASONS FOR ASSESSMENT OF COSTS:** CHARLES E. STINSON

**DATED:** July 9, 2008

**WRITTEN REPRESENTATIONS:**

n/a

Lorne McClenaghan

FOR THE APPELLANT  
(self-represented)  
FOR THE RESPONDENT

**SOLICITORS OF RECORD:**

n/a

John H. Sims, Q.C.  
Deputy Attorney General of Canada  
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FOR THE APPELLANT  
(self-represented)  
FOR THE RESPONDENT