

Date: 20081022

**Docket: A-432-05
A-433-05**

Citation: 2008 FCA 320

A-432-05

BETWEEN:

HIKMAT ALSAYEGH

Appellant

and

HER MAJESTY THE QUEEN

Respondent

A-433-05

BETWEEN:

FIRIAL ALSAYEGH

Appellant

and

HER MAJESTY THE QUEEN

Respondent

ASSESSMENT OF COSTS - REASONS

**Charles E. Stinson
Assessment Officer**

[1] On November 30, 2005, the Court ordered that the above-noted files be consolidated with the above compound style of cause (husband and wife) and with A-432-05 as the lead file in which

documents were to be filed. The appeals, addressing a decision of the Tax Court of Canada concerning tax owing on certain property, were to be heard together. The Court dismissed them with one set of costs plus disbursements in each file. I issued a timetable for written disposition of the assessment of the Respondent's bill of costs.

[2] The Appellants 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 \$2,735.12.

“Charles E. Stinson”
Assessment Officer

FEDERAL COURT OF APPEAL

NAMES OF COUNSEL SOLICITORS OF RECORD

DOCKET: A-432-05
STYLE OF CAUSE: HIKMAT ALSAYEGH v. HMQ
DOCKET: A-433-05
STYLE OF CAUSE: FIRIAL ALSAYEGH v. HMQ

ASSESSMENT OF COSTS IN WRITING WITHOUT PERSONAL APPEARANCE OF THE PARTIES

REASONS FOR ASSESSMENT OF COSTS: CHARLES E. STINSON
DATED: October 22, 2008

WRITTEN REPRESENTATIONS:

n/a FOR THE APPELLANTS
(self-represented)
Bruce Senkpiel FOR THE RESPONDENT

SOLICITORS OF RECORD:

n/a FOR THE APPELLANTS
(self-represented)
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