

Federal Court of Appeal



Cour d'appel fédérale

Date: 20100712

Docket: A-240-09

Citation: 2010 FCA 186

[ENGLISH TRANSLATION]

BETWEEN:

TRANSPORT ROBERT (1973) LTÉE

Appellant

and

HER MAJESTY THE QUEEN

Respondent

ASSESSMENT OF COSTS – REASONS

DIANE PERRIER, ASSESSMENT OFFICER

[1] This is an assessment of respondent's bill of costs following the Federal Court of Appeal's decision on January 27, 2017, which rendered the following judgment: "The appeal is dismissed". It should be noted that there is no mention of costs. Under Rule 105 of the Federal Courts Rules, the Federal Court has the discretionary power to consolidate two proceedings. As assessment officers are defined in Rule 2 of the Federal Courts Rules as: "an officer of the Registry designated by an order of the Court", they therefore cannot assess the costs because there is no Court judgment allowing them to do so.

[2] Although the respondent filed a bill of costs on May 10, 2010, and a direction was sent to the parties setting a deadline for filing written representations, I cannot assess the costs because the Court made no mention of costs in its judgment.

MONTRÉAL, QUEBEC
July 12, 2010

“Diane Perrier”

DIANE PERRIER
ASSESSMENT OFFICER

FEDERAL COURT OF APPEAL

NAMES OF COUNSEL AND SOLICITORS OF RECORD

DOCKET: A-240-09

STYLE OF CAUSE: TRANSPORT ROBERT (1973)
LTÉE
v. HER MAJESTY THE QUEEN

ASSESSMENT OF COSTS IN WRITING

PLACE OF ASSESSMENT: Montréal, Quebec

ASSESSMENT OF COSTS – REASONS: DIANE PERRIER
ASSESSMENT OFFICER

DATED: July 12, 2010

SOLICITORS OF RECORD:

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FOR THE APPELLANT

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FOR THE RESPONDENT