

CANADA / JUDGMENT

Archambault v. Canada

2002 FCT 484

COURT

Federal Court

DECIDED

29 April 2002

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Archambault v. Canada Court (s) Database Federal Court Decisions Date 2002-04-29 Neutral citation 2002 FCT 484 File numbers T-1640-83 Decision Content Date: 20020429 Docket: T-1640-83 Neutral Citation: 2002 FCT 484 Between: CLAUDE F. ARCHAMBAULT Plaintiff and HER MAJESTY THE QUEEN Defendant ASSESSMENT OF COSTS - REASONS RICHARD LARABIE, ASSESSMENT OFFICER

- [1] On December 3, 2001, counsel for the defendant filed his bill of costs for assessment pursuant to the order of the Honourable Madam Justice Tremblay-Lamer dated May 12, 1998.
- [2] In a letter accompanying his bill of costs, Charles Camirand asked the assessment officer to proceed with the assessment on the basis of written submissions. Letters were then sent to the parties on March 4, 2002, inviting them to prepare and serve their representations, and since none were received within the prescribed time period, the bill of costs of the defendant is assessed and allowed as claimed, except for the disbursements.
- [3] With respect to disbursements, counsel is claiming \$170.40 for photocopies and \$1,382.40 for the transcript of the examinations for discovery, but he has not provided any explanation, supporting documents or affidavit justifying these disbursements or establishing that they were made within the current proceedings. In the absence of proof required by subsection 1(4) of Tariff B, these claims are rejected.
- [4] Moreover, because the unit value was increased under subsection 4(1) of Tariff B to \$110.00 effective April 1, 2001, and because the bill of costs was filed on December 3, 2001, it is assessed taking this increase into account.
- [5] The defendant's costs are therefore assessed and allowed in the amount of \$10,615.00 for fees. A certificate in that amount will be issued. Signed : R. Larabie RICHARD LARABIE ASSESSMENT OFFICER MONTRÉAL, QUEBEC April 29, 2002 Certified true translation Mary Jo Egan, LLB FEDERAL COURT OF CANADA TRIAL DIVISION SOLICITORS OF RECORD DOCKET: T-1640-83 Between: CLAUDE F. ARCHAMBAULT Plaintiff AND HER MAJESTY THE QUEEN Defendant ASSESSMENT OF COSTS WITHOUT PERSONAL APPEARANCE PLACE OF ASSESSMENT: Montréal, Quebec REASONS BY RICHARD LARABIE, ASSESSMENT OFFICER

DATE OF REASONS: April 29, 2002 SOLICITORS OF RECORD: Claude F. Archambault & Associés Montréal, Quebec for the plaintiff Morris Rosenberg Deputy Attorney General of Canada Ottawa, Ontario for the defendant FEDERAL COURT OF CANADA TRIAL DIVISION Date: 20020429 Docket: T-1640-83 BETWEEN: CLAUDE F. ARCHAMBAULT Plaintiff and HER MAJESTY THE QUEEN Defendant ASSESSMENT OF COSTS - REASONS

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