

CANADA / JUDGMENT

McGill v. Jansen

2020 BCSC 1124

COURT

Supreme Court of British Columbia

DECIDED

31 July 2020

Source: bccourts.ca · Research copy typeset by Esheria. Not court-issued or certified.

2020 BCSC 1124 McGill v. Jansen IN THE SUPREME COURT OF BRITISH COLUMBIA Citation: McGill v. Jansen, 2020 BCSC 1124 Date: 20200731 Docket: 54536 Registry: Kamloops Between: Peter William Joe McGill Plaintiff And Tammy Anne Jansen Defendant Before: Master J.M. Keim in Chambers Reasons for Judgment Counsel for the Plaintiff (appearing by telephone): R. Lammers Appearing on her own behalf (appearing by telephone): T.A. Jansen Place and Date of Hearing: Kamloops, B.C. July 20, 2020 Place and Date of Judgment: Kamloops, B.C. July 31, 2020

- [1] This matter came before me to settle a bill of costs arising from an offer to settle that was provided by the plaintiff to the defendant on December 4, 2017, and accepted by the defendant on December 10, 2019. The defendant appeared on her own behalf and acknowledged that she took no issue with 99 out of 107 units claimed of the tariff items and that she took no issue with the various disbursements that were set out in the bill of costs. I will, therefore, confine my decision to only those tariff items that were disputed and will provide a decision in regards to the disbursements and the appropriateness of those disbursements. TARIFF ITEMS Tariff Item 14
- [2] The plaintiff is seeking 2 units. The defendant does not agree that any units are appropriate.
- [3] The evidence before me is that the plaintiff issued one notice to admit on February 26, 2018. I was not provided with a copy of the notice to admit and, therefore, cannot comment on the nature of the admissions that were being sought. In submissions, it was my understanding by plaintiff's counsel that their notice to admit was fairly straightforward. However, responding to the notice to admit that the defendant sent out on March 21, 2018 required more work. I am, therefore, awarding 1 unit under tariff item 14. Tariff Item 15
- [4] The plaintiff seeks 2 units for the process of making admissions of fact in response to the notice to admit that was sent by the defendant on March 21, 2018. The defendant does not agree that any units are appropriate.
- [5] This item has a scale of between 1 to 10 units. The plaintiff seeks 2 units and I am satisfied that that is an appropriate number of units. I, therefore, award 2 units for tariff item 15. Tariff Item 37

- [6] The tariff has a set amount of 3 units for this item. The plaintiff seeks 3 units on the basis that they attended court on April 12, 2018 on a day that the defendant brought an application to adjourn the trial. The defendant disputes that any units are appropriate for this item.
- [7] I note that the plaintiff has claimed units under tariff items 21 and 22 and that both relate to the preparation and the attendance for the application that was heard on April 12, 2018. I conclude that if I also awarded the units as being sought in item 37, it would in fact be a double counting. I, therefore, do not award any units for item 37. Tariff Item 41
- [8] The plaintiff seeks 1 unit relating to the order of January 21, 2020, which was the final order and contained the signatures of counsel resolving the matter. The defendant does not agree that any units are appropriate.
- [9] I am satisfied that the final order was in fact required and, therefore, the 1 unit being sought is appropriate. I allow 1 unit.
- [10] As a result, instead of 107 units, I am awarding 103 units in total. DISBURSEMENTS
- [11] Although the defendant did not take any issue with the disbursements, plaintiff's counsel provided me information regarding the disbursements that leads me to conclude that it is appropriate to adjust some of the disbursements to keep them in line with the amounts that are permitted in the usual course. Reprographics
- [12] During submissions, plaintiff's counsel acknowledged that reprographics are charged at \$.35 per photocopy. The standard rate is \$.25 per page. In addition, it would be appropriate to deduct an amount to account for photocopying that has to do with the administration of the file as opposed to advancement of the claim. Based on the amount in the bill of costs at \$314.10, that would give rise to approximately 897 copies being made. A 15% reduction to allow for administrative purposes would reduce the number of copies to $762 \times \$0.25 = \$190.50$ for reprographics. I, therefore, allow \$190.50 for reprographics. Long Distance Telephone Calls
- [13] For long distance telephone calls, the evidence before me is that both the plaintiff and the defendant's former counsel reside in Prince George and, therefore, the long distance charges which are tracked each time a call is made are appropriate to the file. I again make an adjustment to the \$47.50 that is charged of 15% to allow for calls of a more administrative nature between the plaintiff and his counsel. That reduction then reduces the \$47.50 to \$40.37, and I allow that amount. Postage
- [14] The plaintiff claims \$54.90 in postage. It is appropriate to deduct an amount to account for mailing that is of an administrative nature rather than strictly for the advancement of the file. Applying a 15% discount, I, therefore, fix postage at \$46.66. Facsimile
- [15] Facsimile charges were charged at \$1.00 per page, rather than the appropriate rate of \$.35 per page. I, therefore, reduce the facsimile charges to \$11.55.

- [16] All other disbursements are allowed as claimed on the bill of costs.
- [17] Plaintiff's counsel should submit a revised bill of costs and certificate of costs reflecting this decision. "Master J.M. Keim" MASTER KEIM
-

Source & reproduction note

Judgment wording, source notices and original paragraph numbers are retained. Esheria supplies the layout and this PDF's page numbers; these are not the source pagination. This is a research copy, not an official or certified court document. Check quotations, citations and publication restrictions against the original source before relying on it.

ORIGINAL SOURCE <https://www.bccourts.ca/jdb-txt/sc/20/11/2020BCSC1124.htm>

CASE PAGE <https://chat.esheria.ai/case-law/canada/mcgill-v-jansen-2020>

Prepared on 26 October 2026 · Esheria