

Federal Court



Cour fédérale

Date: 20110310

Docket: T-1168-09

Citation: 2011 FC 287

Ottawa, Ontario, March 10, 2011

PRESENT: The Honourable Mr. Justice Barnes

BETWEEN:

DONNA CASLER

Applicant

and

CANADIAN NATIONAL RAILWAY

Respondent

SUPPLEMENTARY REASONS FOR JUDGMENT AND JUDGMENT

[1] In my Reasons dated February 9, 2011, I reserved judgment with respect to the issue of costs.

[2] The Respondent is seeking costs and under Column III in the amount of \$6,405.43 and disbursements of a further \$1,257.73.

[3] The Respondent was successful and is entitled to a reasonable award of costs. I must also be mindful of the personal circumstances of the Applicant. She is disabled and has been without

income for many years. Indeed this application arose out of the termination of her employment by the Respondent due to her inability to work.

[4] The Respondent's claim to costs is also on the high side for a relatively straight forward application and certainly the recovery of almost \$1,000.00 in photocopying expenses is unwarranted.

[5] I am satisfied in these circumstances that an award in favour of the Respondent in the amount of \$1,000.00 inclusive of disbursements is justified.

JUDGMENT

THIS COURT'S JUDGMENT is that the Applicant shall pay to the Respondent the sum of \$1,000.00 for costs and disbursements.

“ R. L. Barnes ”

Judge

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: T-1168-09

STYLE OF CAUSE: CASLER v CANADIAN NATIONAL RAILWAY

PLACE OF HEARING: Toronto, Ontario

DATE OF HEARING: January 12, 2011

**SUPPLEMENTARY REASONS
FOR JUDGMENT
AND JUDGMENT:** BARNES J.

DATED: March 10, 2011

APPEARANCES:

Hugh Scher FOR THE APPLICANT

Simon-Pierre Paquette FOR THE RESPONDENT

SOLICITORS OF RECORD:

Scher Law Professional Corporation FOR THE APPLICANT
Barrister and Solicitor
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Canadian National Railway FOR THE RESPONDENT
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