

Federal Court



Cour fédérale

**Date: 20110713**

**Docket: T-33-10**

**Citation: 2011 FC 880**

**BETWEEN:**

**GORGE ROAD PROPERTIES LTD.**

**Applicant**

**and**

**THE ATTORNEY GENERAL OF CANADA  
(CANADA REVENUE AGENCY)**

**Respondent**

**ASSESSMENT OF COSTS - REASONS**

**Charles E. Stinson**  
**Assessment Officer**

[1] The Applicant discontinued this application for judicial review of a decision of the Canada Revenue Agency concerning the provision of certain documents. I issued a timetable for written disposition of the assessment of the amended bill of costs of the Respondent, presented further to Rule 402.

[2] The Applicant 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.

[3] Although there were items in the amended bill of costs of the Respondent which might have attracted disagreement, its total amount is generally arguable as reasonable and is allowed as presented at \$1,315.29.

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“Charles E. Stinson”  
Assessment Officer

Vancouver, BC  
July 13, 2011

**FEDERAL COURT**

**SOLICITORS OF RECORD**

**DOCKET:** T-33-10

**STYLE OF CAUSE:** GORGE ROAD PROPERTIES LTD. v.  
ATTORNEY GENERAL OF CANADA (CRA)

**ASSESSMENT OF COSTS IN WRITING WITHOUT PERSONAL APPEARANCE  
OF THE PARTIES**

**REASONS FOR ASSESSMENT OF COSTS:** **CHARLES E. STINSON**

**DATED:** July 13, 2011

**WRITTEN REPRESENTATIONS:**

n/a

FOR THE APPLICANT

Shannon Currie

FOR THE RESPONDENT

**SOLICITORS OF RECORD:**

Laird & Company  
Pitt Meadows, BC

FOR THE APPLICANT

Myles J. Kirvan  
Deputy Attorney General of Canada  
Vancouver, BC

FOR THE RESPONDENT