

Kocsis Transport Ltd. and Ron Kocsis

APPELLANTS

- and -

Aspen Developments Inc. and Attorney General of Canada

RESPONDENTS

- and -

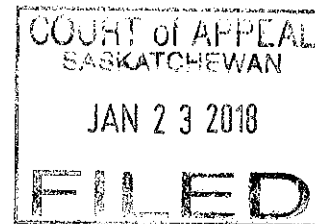
Peace Hills Trust Company

RESPONDENT

Grant Richards for the appellants

Nolan Courteau for Peace Hills Trust Company

**Taxation before Melanie A. Baldwin, Q.C.  
Registrar, Court of Appeal for Saskatchewan  
January 23, 2018**



### Background

[1] On November 16, 2017, the Court dismissed this appeal "with one set of costs to Peace Hill Trust Company and one set of costs to Aspen Developments Inc. to be assessed upon the appropriate Column." A draft judgment was served on the appellants pursuant to Rule 57.1 of *The Court of Appeal Rules* and a formal judgment was issued on December 6, 2017 which identified Column 4 of the Court of Appeal Tariff of Costs as the appropriate Column. An appointment for taxation was taken out on behalf of Peace Hills Trust Company, made returnable before me on January 23, 2018. On January 23, 2018, Mr. Richards and Mr. Courteau appeared before me by telephone for the taxation hearing. This fiat is my decision on the taxation.

### Proposed Bill of Costs

[2] The proposed bill of costs lists the following fees under column 4 of the Court of Appeal Tariff of Costs:

3	Fee to Respondent on receipt of Notice of Appeal	\$ 200
6	Agreement as to contents of Appeal Book	\$ 400
7	Preparation of Appeal Book	\$1250

8	Preparation of Factum	\$5000
9	All other preparation for hearing	\$1250
10	Appearance to present argument on appeal before Court of Appeal	\$ 600
11	Preparing formal judgment	\$ 400
12	Correspondence	\$ 400
13	Preparation of Bill of Costs	\$ 250

The fees claimed total \$9750.

**Issues**

[3] Prior to the taxation hearing, the appellants and Peace Hills Trust Company agreed to remove items 6 and 7 from the fee items claimed. There was no agreement as to contents of appeal book and a respondent is not entitled to claim for the preparation of the appeal book. With these items removed, the appellants do not object to any of the other fee items claimed.

**Decision**

[4] The fees are therefore taxed as follows:

3	Fee to Respondent on receipt of Notice of Appeal	\$ 200
8	Preparation of Factum	\$5000
9	All other preparation for hearing	\$1250
10	Appearance to present argument on appeal before Court of Appeal	\$ 600
11	Preparing formal judgment	\$ 400
12	Correspondence	\$ 400
13	Preparation of Bill of Costs	\$ 250

The total fees allowed are \$8100.

[5] The proposed bill of costs is therefore taxed and allowed at **\$8100**.

DATED at Regina, Saskatchewan, this 23<sup>rd</sup> day of January, 2018.



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REGISTRAR - COURT OF APPEAL