

**FEDERAL COURT**

**BETWEEN:**

**ATTORNEY GENERAL OF CANADA**

**APPLICANT**

**and**

**FIRST NATIONS CHILD AND FAMILY CARING SOCIETY OF CANADA,  
ASSEMBLY OF FIRST NATIONS, CANADIAN HUMAN RIGHTS COMMISSION,  
CHIEFS OF ONTARIO, AMNESTY INTERNATIONAL  
and NISHNAWBE ASKI NATION**

**RESPONDENTS**

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**COSTS SUBMISSIONS OF THE RESPONDENT CHIEFS OF ONTARIO**

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**Maggie Wente** (LSO 47970T)  
**Sinéad Dearman** (LSO 75430A)  
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**Lawyers for the Respondent, Chiefs of Ontario**

1. These submissions are made pursuant to Justice Favel's November 29, 2019 order directing the parties to provide submissions on costs by December 31, 2019 and Justice Favel's subsequent oral direction issued December 30, 2019 permitting the parties a one-week extension to provide costs submissions.
2. The Chiefs of Ontario ("COO") did not make extensive written or oral submissions on either the Attorney General of Canada's ("Canada") motion for a stay of the orders of the Canadian Human Rights Tribunal ordered at 2019 CHRT 39 or the motion by the First Nations Child and Caring Society of Canada ("Caring Society") to hold Canada's motion for a stay in abeyance. Nonetheless, as an Interested Party, COO was required to review all of the parties' materials, attend the cross-examination of Canada's affiant (Mr. Sony Perron), prepare written submissions, and attend at the hearing to make oral submissions.
3. COO adopts the position on costs as articulated by the Caring Society in its written costs submissions dated January 7<sup>th</sup>, 2020. COO further submits that it is entitled to its costs for the preparation of its written submissions and attendance at the Federal Court hearing in Ottawa on November 25-26, 2019.
4. As detailed in Annex "A" to COO's submission, the total legal fees that COO incurred in responding to the Caring Society and Canada's motions is \$14,655. This is based on the hours per task as listed in Annex "A", at the following hourly rates:
  - a. Maggie Wente (2003 call): \$375/hour
  - b. Sinéad Dearman (2017 call): \$225/hour
5. COO's disbursements, as detailed in Annex "B", total \$1981. These disbursements relate to travel for Ms. Wente to attend the November 25-26, 2019 hearing and travel for Ms. Dearman to attend the cross-examination of Mr. Sony Perron.
6. Accordingly, COO seeks a total costs award of \$16,636, in the amount of \$14,655 for legal fees and \$1,981 for disbursements.

ALL OF WHICH IS RESPECTFULLY SUBMITTED THIS 7<sup>th</sup> DAY OF January, 2020



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**Annex A – Legal Fees**

<b>Task</b>	<b>Hours</b>	<b>Amount</b>
Preparation for cross-examination of Mr. Sony Perron	SD:1.5 hrs MW: .6 hrs	SD: \$337 MW: \$225
Attend cross-examination of Mr. Sony Perron (including travel to-and-from Ottawa-Toronto)	SD: 10 hrs	SD: \$2,250
Preparation of COO's memorandum of fact and law and preparation for hearing (including travel to-and-from Ottawa-Toronto)	MW: 12.9 hrs SD: 5.3 hrs	MW: \$4,837 SD: \$1,192
Attendance at hearing	MW: 15.5 hrs	MW: \$5,812

Subtotal Maggie Wente = \$10,875

Subtotal Sinéad Dearman = \$3,780

Total fees = \$14,655

**Annex B – Disbursements**

<b>Item</b>	<b>Amount Claimed</b>	<b>Allowed</b>
Travel for MW to Ottawa to attend hearing (hotel & train)	\$981	
Travel for SD to Ottawa to attend cross-examination of Mr. Sony Perron (hotel & train)	\$1000	

Total disbursements = \$1981