

IN THE SUPREME COURT OF BRITISH COLUMBIA

Citation: *Delta (City) v Lloyd Investments Ltd.*,
2026 BCSC 1588

Date: 20260821
Docket: S221918
Registry: Vancouver

Between:

The City of Delta

Petitioner

And

Lloyd Investments Ltd.

Respondent

Before: Registrar Gaily

Reasons for Decision

Counsel for the Plaintiff:

Z.S. Currie

The respondent, Lloyd Investments Ltd., by
its representative:

H. Lloyd

Place and Dates of Hearing:

Vancouver, B.C.
July 10, 2026

Place and Date of Decision:

Vancouver, B.C.
August 21, 2026

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Introduction

[1] This is an assessment of the special costs that were awarded to the petitioner, the City of Delta (“Delta”), in the orders made by Justice Latimer on September 15, 2025, and by Justice Groves on December 8, 2025, in contempt proceedings Delta brought against Lloyd Investments Ltd. (“Lloyd Investments”). David Lloyd is the president of Lloyd Investments, and he represented the company.

[2] On April 22, 2022, Groves J. had declared that Lloyd Investments was contravening a Delta bylaw and he ordered it to obtain a business licence and he prohibited it from operating its business without a licence, among other things (the “2022 Order”). Three years later, on August 27, 2025, Delta applied for an order that Lloyd Investments was in contempt of the 2022 Order. The application proceeded before Latimer J. on September 15, 2025. Although no one appeared for Lloyd Investments, Latimer J. was satisfied it had been properly served. She declared that Lloyd Investments was in contempt of para. 3 of the 2022 Order, ordered that Lloyd Investments could purge its contempt by paying \$2,000 to Delta by September 22, that the sentencing hearing was to be scheduled for 30 minutes at the earliest available date, and that Delta “is entitled to special costs to be determined by the Registrar” (the “Latimer Order”).

[3] Lloyd Investments had purged its contempt by the time the sentencing hearing proceeded before Groves J. on December 8, 2025. Although no one appeared for Lloyd Investments, Groves J. was satisfied that it had been served. Justice Groves ordered a suspended sentence and that Lloyd Investments “pay special costs of the application” to Delta (the “Groves Order”).

[4] At the assessment before me, Delta claims approximately \$30,000 as its special costs pursuant to the Latimer and Groves Orders, based on the invoices of Dominion GovLaw LLP (the “Law Firm”), which represented Delta in the contempt proceedings. As detailed below, considering the circumstances and the factors listed under Rule 14-1(3) of the *Supreme Court Civil Rules* [SCCR], I have allowed the

special costs claimed by Delta at \$22,500, which includes the disbursements, and applicable taxes.

[5] Neither party made submissions on the costs of the assessment, which proceeded before me for one half day (I would not allow Delta its costs for the first appearance before me when the bills upon which the special costs were claimed were redacted). In the circumstances of this case, unless there is information about which I was not made aware, I assess the costs of the assessment at \$2,500, including disbursements and relevant taxes.

Assessment Proceedings

[6] Delta filed the appointment to assess its special costs on March 30, 2026, attaching a bill of special costs based on the invoices the Law Firm issued to Delta dated February 28 through December 31, 2025, together with copies of the Latimer and Groves Orders. Including the disbursements and applicable taxes, the total claimed on the bill of special costs was \$29,805.71.

[7] The assessment was scheduled for thirty minutes on April 23, 2026. It was supported by the first affidavit of Zachary Currie, an associate lawyer with the Law Firm, filed on March 25, 2026 (“Currie Affidavit #1”). Mr. Currie appeared remotely by videoconference (the Law Firm’s office is in Victoria) and Mr. Lloyd appeared in person for Lloyd Investments. I advised the parties that thirty minutes was not enough time for the assessment and ordered it converted to a pre-hearing conference (“PHC”).

[8] Mr. Currie had exhibited to his first affidavit copies of the Law Firm’s invoices on which Delta’s special costs are based (Currie Affidavit #1, Ex. C). However, on every invoice, the narrative descriptions of the work performed were fully redacted, which Mr. Currie said was done to protect solicitor-client privilege. For a discussion about the need for an account and the waiver of privilege in special costs assessments, see *Gichuru v. Smith*, 2014 BCCA 414 [*Gichuru*] at paras. 111-120. In the circumstances of this case, I ordered Mr. Currie to serve Mr. Lloyd with copies of the Law Firm’s unredacted bills by May 1, and I ordered Mr. Lloyd to serve Delta

with particularized objections to the bill of special costs. I ordered Mr. Currie to file a further affidavit exhibiting unredacted invoices, responding to Mr. Lloyd's objections, exhibiting the work product relating to the bill, and speaking to the factors the registrar is required to consider under R. 14-1(3) of the *SCCR*. I ordered the parties to set the assessment for a two-hour hearing.

[9] The assessment proceeded on the morning of July 10. Mr. Currie filed his second affidavit on June 26, 2026 ("Currie Affidavit #2), together with the third affidavit of Alex Volchek, a legal assistant at the Law Firm, filed on June 29, 2026, both of which were in the hearing record. Mr. Lloyd confirmed he had received the unredacted bills from Mr. Currie as ordered at the PHC. He had prepared a submission on costs dated May 28, 2026, which set out his objections to the bill of special costs, but he said he had difficulty filing it and it was stamped as filed on June 25, 2026. It was not in the hearing record, but he provided copies at the hearing. Mr. Currie spoke to his affidavit and addressed the issues raised by Mr. Lloyd and Mr. Lloyd cross-examined Mr. Currie on his evidence.

Summary of Work Performed

[10] Mr. Currie testified that the Law Firm practices primarily municipal law, acting for local governments. Delta had retained other counsel to obtain the 2022 Order, but in February 2025, Delta retained the Law Firm advising that Lloyd Investments was in breach of the 2022 Order and Delta wanted to pursue an order declaring that Lloyd Investments was in contempt of court.

[11] Mr. Currie testified that he was the lawyer who performed the bulk of the work on the file. He was called to the bar in 2024 and at the time Delta first retained the Law Firm, his hourly rate was \$200, which was increased to \$225 in September 2025. He confirmed that because he was a junior lawyer, he sought the assistance of Troy DeSouza, a partner at the Law Firm (who was also the billing lawyer). Mr. Currie said that Mr. DeSouza was a senior lawyer of over 25 years' experience (he was called in 1998) and Mr. Currie testified that Mr. DeSouza's hourly rate was \$375, which was increased to \$395 in September 2025. On reviewing the bills, Mr.

Currie and Mr. DeSouza both recorded time to attend meetings together related to the file, as well as to attend meetings with the client (for example, both lawyers recorded time on February 26, 2025, to meet together to discuss the file, both recorded time on March 5, 2025, to meet with the client, and both recorded time on May 14 to meet with each other). Mr. DeSouza also appeared before Latimer J. at the September 2025 hearing as Mr. Currie was unavailable.

[12] In reviewing the bills, Mr. Currie confirmed that another senior partner, Kismet Bhandar (also called in 1998), recorded 0.20 hours on the file on August 26, 2025 (the day before the application was filed). Her hourly rate was \$350, as set out on the relevant bill. Mr. Currie also confirmed that an articling student, Sam Moloney, helped with some procedural matters. The bills reflect that Mr. Moloney recorded 0.10 and 0.20 hours on September 19 and 29, 2025 respectively, as well as 0.10 hours on October 1, 2025. Mr. Moloney's hourly rate was \$185.

[13] Mr. Currie testified that between the time Delta retained the Law Firm up to the filing of the application, he spent time meeting with Delta's representatives, preparing and sending a demand letter, preparing affidavits, and preparing the application for an order for contempt (the "Application"). The Application was filed on August 27, 2025, together with the notice of change of solicitor.

[14] Mr. Currie had exhibited only the first page of the Application to Currie Affidavit #1 (Ex. F). On my request, he provided a copy of the Application to me at the hearing. The Application is eight pages. At para. 17 of the legal basis section of the Application (Part 3), Delta stated that it had given Lloyd Investments two years to come into compliance with the 2022 Order. In the factual basis section (Part 2), Delta describes the 2022 Order, and details that the day after the 2022 Order was provided to Mr. Lloyd (April 27, 2022), Lloyd Investments applied for the relevant licence (a business licence for a real estate management business), which Delta issued to him on May 10, 2022, expiring on April 27, 2023. As set out at paras. 12-14 of Part 2 of the Application, Delta issued licences to Lloyd Investments, for the periods from April 27, 2023, to April 26, 2024, and from April 27, 2024, to April 27,

2025. Delta invoiced Lloyd Investments for the annual fees owing on the licences, but they were not paid, and in July 2024, Delta notified Lloyd Investments that the licence had expired.

[15] Mr. Currie testified that because Lloyd Investments had not paid the fees to Delta to renew the licenses, Delta's position was that there was no compliance with the 2022 Order. He also said that Delta had learned that Lloyd Investments was continuing to operate a property management business without a licence, in contravention of the 2022 Order.

[16] Mr. Currie testified that the Law Firm sent Lloyd Investments a demand letter on March 14, 2025, enclosing the 2022 Order and demanding compliance (Currie Affidavit #1, Ex. D), and he spent time conferring with the client about the letter and drafting it (he recorded 1.5 hours on March 10 for "letter to business owner demanding compliance" and 0.30 hours on March 11 to "revise demand letter"). Lloyd Investments did not respond to the Law Firm's demand letter and Mr. Currie's entry of April 4, 2025, is for "email to client re: proceeding with contempt application".

[17] Mr. Currie testified that he spent time in June 2025 researching the law on entry warrants, which he described as a process by which a government entity can enter private property without a warrant. He agreed that Delta did not instruct the Law Firm to seek an entry warrant, but he felt it was necessary to understand the law in the event that Delta had to seek one. Mr. Currie's entries on June 4 and 5 indicate he was researching and reviewing the law on entry warrants, and Mr. DeSouza recorded time on those same dates to confer with Mr. Currie. The total of the fees charged, before taxes, by Mr. Currie and Mr. DeSouza on the June 30, 2025 bill for this work was \$710.

[18] The Application was supported by the first affidavit of Andrew Singh, a bylaw enforcement officer with Delta, filed on September 2, 2025 ("Singh Affidavit #1"). Mr. Currie had only exhibited the first page of Singh Affidavit #1 to Currie Affidavit #1 (Ex. G). On my request he provided a copy at the hearing. Mr. Currie testified that he spent a lot of time drafting Singh Affidavit #1, which is 48 paragraphs with many

exhibits. Mr. Currie's time entries on May 28, July 9, 16, 22 and 23, and August 13 and 19 include time spent drafting and revising Singh Affidavit #1. When Mr. Lloyd challenged the necessity of Singh Affidavit #1, Mr. Currie testified that the Singh Affidavit #1 was necessary because Mr. Singh confirmed the number of properties owned and operated by Lloyd Investments (which the Law Firm knew about through searches of the Land Title Office records) and Mr. Singh's evidence would assist at the sentencing hearing.

[19] Mr. Currie also prepared an affidavit of Alex Volchek, the legal assistant, filed on September 5, 2025, in which they deposed to communications with Mr. Lloyd regarding difficulties he was experiencing accessing emailed materials. He exhibited the first page of this affidavit to Currie Affidavit #1 (Ex. H). Again, he provided a complete copy on my request at the hearing.

[20] Mr. Currie also said that he researched the law on special costs and discussed this with Mr. DeSouza because they were instructed to seek special costs if Delta succeeded on the Application.

[21] The Application was scheduled for September 15, 2025, and Mr. Currie testified that although he had prepared for the hearing, because of personal circumstances, he was unable to attend. The special costs claimed include Mr. Currie's entries in early September preparing written submissions for the Application, reviewing the Application record and supporting authorities. Because Mr. Currie was unavailable, Mr. DeSouza appeared for Delta at the Application. The special costs include the following entries by Mr. DeSouza preparing for the Application hearing:

- 1.50 hours (\$592.50) on September 11 conferring with Mr. Currie (Mr. Currie also recorded 1.2 hours (\$270) on September 11 conferring with Mr. DeSouza);
- 6.50 hours (\$2,567.50) on September 12 preparing for court and reviewing all pleadings and authorities;

- 6.00 hours (\$2,370) on September 14 to prepare for court and “travel to Van @1/2”.

[22] Mr. Currie confirmed that the bill of special costs includes the travel expenses incurred by Mr. DeSouza to attend court in Vancouver (ferry fees, hotel, transit from the hotel to court, mileage and a “meal stipend @1/2”). Mr. Currie testified that Delta agreed that its counsel should attend in person for the Application hearing and submitted that given the seriousness of an order finding a party in contempt, it was important for counsel to appear in person. Mr. DeSouza recorded 8.70 hours (\$3,436.50) on September 15 to appear and speak to the Application and then to travel back to Victoria “at 1/2”. Mr. Currie confirmed that it was the Law Firm’s policy to charge its clients half the lawyer’s hourly rate when travelling.

[23] After the Latimer Order was pronounced, Mr. Currie began researching sentencing for contempt, as well as the assessment of special costs, and the bill reflects that Mr. Currie enlisted the help of Mr. Moloney (the articling student) to schedule the sentencing hearing (the entries noted above from late September and early October 2025).

[24] The sentencing hearing was originally scheduled for November 4, 2025, and Mr. Currie testified that he had been granted leave to attend remotely by videoconference (the requisition was approved on October 23, 2025). The sentencing hearing did not proceed on November 4 given the length of the chambers list. It was rescheduled to December 8 and Mr. Currie was again granted leave to appear remotely. The bills reflect that Mr. Currie recorded time preparing for the November 4 sentencing hearing on October 31 (0.80 hours for \$180), on November 3 (0.80 hours for \$180), and prior to the hearing on November 4 (4.00 hours total that day, for \$900). Mr. Currie recorded 3.50 hours on December 8 (\$787.50) to prepare for and attend the sentencing hearing before Groves J. on December 8. The sentencing hearing took approximately twenty minutes, as reflected on the court summary sheet.

[25] After the Groves Order was pronounced, the special costs claimed include time Mr. Currie spent on December 9 and 17 to draft the Groves Order, email the client and research law on special costs (the time totals 1.00 hour for \$225).

[26] The bill of special costs does not include time spent for the assessment of Delta's special costs.

Parties' Positions

[27] At the hearing, I explained to Mr. Lloyd that many of his objections to the bill of special costs claimed by Delta were outside the scope of the registrar's jurisdiction and I could not consider them on the assessment. For example, Mr. Lloyd submitted that Lloyd Investments should not have been found in contempt of the 2022 Order and that Delta should have pursued an action against Lloyd Investments in Small Claims Court instead. He maintains that Delta delayed pursuing the contempt matter for two years, which should affect the amount of special costs claimed. He also challenged that Delta had properly served Lloyd Investments the notice of application before Latimer J. and that he was unable to join the sentencing hearing before Groves J. because the link provided by Mr. Currie did not work and he was only able to access the hearing after Groves J. had issued his order.

[28] With respect to the special costs claimed, Mr. Lloyd submits that the amount claimed by Delta is disproportionate to the amount he paid to purge Lloyd Investments' contempt. He challenged time Mr. Currie spent researching entry warrants, as well as preparing Singh Affidavit #1, submitting that both were unnecessary to the contempt proceedings. He also challenged the fees charged by the Law Firm where two lawyers were meeting together, as well as the expenses incurred by Mr. DeSouza when he travelled to Vancouver for the hearing before Latimer J. (Mr. Lloyd submits Delta's counsel should have appeared remotely at all court appearances).

[29] On behalf of Delta, Mr. Currie submits that all the fees claimed as special costs, including the disbursements, were proper and reasonably necessary to

conduct the contempt proceedings, and should be allowed in full. Mr. Currie defended the Law Firm's practice of charging Delta for both lawyers' time when they met together to discuss the matter and strategy as necessary in the circumstances. He also submits that it was proper for Mr. DeSouza to attend the hearing before Latimer J. in person because of the seriousness of applications for contempt.

Discussion

Applicable Principles

[30] The Court of Appeal of British Columbia has stated that special costs are not compensatory, they are punitive; the purpose of special costs is to censure and deter litigation misconduct, not to compensate the plaintiff: *567 Hornby Apartment Ltd. v. Le Soleil Restaurant Inc.*, 2020 BCCA 69 at para. 42.

[31] Pursuant to Rule 14-1(3), on an assessment of special costs, the registrar must allow those fees that were properly or reasonably necessary to the conduct of the proceeding, having regard to the following factors:

- a. the complexity of the proceeding and the difficulty/novelty of the issues involved;
- b. the skill, specialized knowledge and responsibility required of the lawyer;
- c. the amount involved in the proceeding;
- d. the time reasonably spent in conducting the proceeding;
- e. conduct that tended to shorten or unnecessarily lengthen the proceeding;
- f. the importance of the proceeding to the party whose bill is being assessed, and the result obtained;
- g. the benefit to the party whose bill is being assessed of the services rendered by the lawyer; and
- h. Rule 1-3 (*i.e.* proportionality) and any case plan order.

[32] With respect to disbursements, R. 14-1(5) directs that when assessing costs under R. 14-1(3), "a registrar must determine which disbursements have been

necessarily or properly incurred in the conduct of the proceeding and allow a reasonable amount for those disbursements.”

[33] The authorities establish that whether work for which fees are claimed should be allowed must be determined objectively. A step was necessary if it was indispensable to the conduct of the proceeding. A step was proper if it was not necessary but was nevertheless reasonably taken or incurred for the purpose of the proceeding: see *Chao Yin Canada Group Inc. v. Xenova Property Development Ltd.*, 2023 BCSC 390, at para. 19 [*Chao Yin*], citing *Brown v. Goodacre*, 2019 BCSC 1008.

[34] Special costs are frequently analogized to legal fees (see, for example, *Gichuru*, at para. 122), but an assessment of special costs “is not an exercise in determining [the party’s] actual legal costs and then deducting some artificial percentage” but is an assessment of the objectively reasonable legal costs: *Chao Yin* at para. 23, citing *Canadian National Railway Company et al. v. A.B.C. Recycling Ltd.*, 2005 BCSC 1559 at para. 15. Special costs are usually intended to indemnify a successful litigant, fully or at least substantially, but they are not a windfall to the successful party.

[35] The registrar is required on an assessment of special costs to consider the factors listed in R. 14-1(3) and I will address them each in turn below.

The complexity of the proceeding and the difficulty/novelty of the issues involved

[36] Mr. Lloyd submits that the matter was not complex and there were no factual issues in dispute. Mr. Currie submits that the matter was of moderate complexity, pointing to the fact that in contempt proceedings, the applicant (in this case, Delta) is required to prove its case beyond a reasonable doubt (the criminal standard). Mr. Currie submits that having to meet the criminal standard of proof required the Law Firm to confer extensively with Delta and to gather more evidence than would normally be required on an application in chambers. He also testified that contempt

proceedings are split into two hearings – the application for contempt and then, if contempt is found, the sentencing hearing – extending the work and time required.

[37] I acknowledge that in contempt proceedings, the applicant must marshal the evidence to satisfy the court that contempt of a court order has been proven beyond a reasonable doubt, which may involve more extensive fact-gathering (through correspondence and conferences with the client and witnesses) than other civil applications. However, based on the evidence before me, I do not find that the circumstances of this case involved complex or difficult legal issues.

The skill, specialized knowledge and responsibility required of the lawyer

[38] Mr. Currie was in his first year of practice when he worked on the contempt proceedings (as I noted above, he was called to the bar in 2024). He relied on the guidance of Mr. DeSouza, a senior member of the bar experienced in municipal law. Mr. Currie deposed that the skill, specialized knowledge and responsibility required in the proceedings were “that of an average lawyer” (Currie Affidavit #2, para. 14).

[39] Mr. Lloyd maintained that the matter did not require any specialized knowledge and that “any lawyer should be able to handle something this simple.”

[40] I find that this was not a proceeding that required specialized legal experience and I am satisfied that Mr. Currie, with the occasional guidance of Mr. DeSouza, had the required skill and knowledge to pursue it.

The amount involved in the proceeding

[41] Mr. Currie deposed that the contempt proceeding was not a monetary matter (Currie Affidavit #2, para. 15) and agreed that the business licence fees required to be paid by Lloyd Investments were not high. Mr. Lloyd submits that the amount involved was only \$2,000, the amount he was required by the Latimer Order to pay to purge his contempt.

[42] I acknowledge that contempt proceedings are not focused on the amount that a party is required to pay, but on the fact that the party has not complied with a court

order. I am satisfied on the evidence before me that the facts in this case justified Delta's pursuit of an order of contempt against Lloyd Investments.

The time reasonably spent in conducting the proceeding

[43] Mr. Currie testified that Delta was required to appear in court at "three separate hearings", although he admits that the first scheduled sentencing hearing did not proceed. He submits that the time spent by the Law Firm was reasonable in the circumstances, and he noted that the Law Firm provided Delta 10% "summer tariff courtesy reductions" on the July 31 and August 31, 2025 bills (amounting to a total reduction in the legal fees of \$303.25).

[44] The objections Mr. Lloyd raised included the time spent by the Law Firm in conducting the contempt proceedings, including time that both Mr. Currie and Mr. DeSouza charged to prepare for the contempt hearing before Latimer J., as well as meet together to discuss the file, and for Mr. DeSouza's travel to Vancouver for the hearing before Latimer J. (Mr. Lloyd maintains Delta's counsel could have attended remotely). Mr. Lloyd also objected to the time spent by Mr. Currie researching the law of entry warrants, submitting that it was not necessary or proper and should not have been included in the bill of special costs. He also maintained that the Singh Affidavit #1 was unnecessary to the proceedings.

[45] In reviewing the Law Firm's bills on which Delta's special costs are based, I am not satisfied on the evidence before me that the time charged by Mr. Currie to research the law of entry warrants was properly or reasonably necessary to the conduct of the contempt proceedings. Further, I am not satisfied on the evidence before me that it was proper for Delta to claim as its special costs all the legal fees charged by the Law Firm when Mr. Currie conferred with Mr. DeSouza. I have no doubt that the conferences were of value to the Law Firm (as part of Mr. Currie's training as a lawyer), but I do not find it reasonable to include this time in the special costs for which Lloyd Investments is responsible. I am also not satisfied on the evidence before me that it is reasonable that the special costs include both Mr.

Currie's preparation time for the Application, as well as Mr. DeSouza's. In my view, the special costs claimed should be reduced for the above-noted reasons.

Conduct that tended to shorten or unnecessarily lengthen the proceeding

[46] On Delta's behalf, Mr. Currie submits that if Lloyd Investments had complied with the 2022 Order, there would have been no contempt proceedings. Although Mr. Lloyd maintained that Lloyd Investments was not in contempt of the 2022 Order, as registrar, I have no jurisdiction to overturn the determination of Latimer J. that Lloyd Investments was in contempt of the 2022 Order. In my view, it goes without saying that the conduct of Lloyd Investments in failing to comply with the 2022 Order, as found by Latimer J., was the basis for the proceedings.

The importance of the proceeding to the party whose bill is being assessed, and the result obtained

[47] Mr. Currie submits that the contempt proceedings were important to Delta because, as a municipal government, it must be able to enforce its bylaws and take steps to ensure that ongoing compliance with its bylaws is achieved. I agree with Mr. Currie that it is important for a local government, such as Delta, to ensure compliance with its bylaws and to take steps to ensure that non-compliance with its bylaws, particularly when declared in a court order, is sanctioned.

[48] Delta's pursuit of the contempt proceedings was successful. Lloyd Investments was found in contempt of the 2022 Order and although Groves J. imposed a suspended sentence because Lloyd Investments had purged its contempt by the sentencing hearing, both Latimer J. and Groves J. awarded Delta its costs as special costs.

The benefit to the party whose bill is being assessed of the services rendered by the lawyer

[49] The Law Firm successfully obtained orders that the costs of the application and sentencing be assessed against Lloyd Investments as special costs.

Rule 1-3 (i.e. proportionality) and any case plan order

[50] There was no case plan order in this proceeding. Rule 1-3 sets out the objects of the SCCR, which is to “secure the just, speedy and inexpensive determination of every proceeding on its merits”, which includes, so far as is practicable, conducting the proceeding in ways that are proportionate to the amount involved in the proceeding, the importance of the issues in dispute and the complexity of the proceeding.

[51] Rule 14-1(3)(h) expressly requires me to consider proportionality. Mr. Lloyd submits that the amount claimed by Delta is disproportionate to the amount he was required to pay to purge the contempt of Lloyd Investments, reiterating his position that Delta should have pursued an action against Lloyd Investments in Small Claims Court for breach of the relevant bylaw and delayed in pursuing a contempt order.

[52] I am not satisfied on the evidence before me that all the legal fees on which the special costs are claimed were reasonably necessary for the contempt proceedings, as I identified above. For this reason, I find that the special costs should be slightly reduced to an amount I consider reasonable and proportionate in the circumstances.

Disbursements

[53] In his submissions, Mr. Lloyd objected to the disbursements claimed for Mr. DeSouza’s travel to Vancouver, as well as the charges for photocopies and colour photocopies.

[54] Mr. Currie exhibited Mr. DeSouza’s travel receipts to Currie Affidavit #1. He testified that Mr. DeSouza travelled from Victoria to the lower mainland by ferry on September 14 (the day before the Application hearing) and returned to Victoria on September 16 (the day after the Application hearing). The ferry charges totalled \$210 (Ex. J). Mr. Currie testified that Mr. DeSouza stayed at the River Rock hotel in Richmond two nights, but Delta was charged for one night because Mr. DeSouza conducted other business after the Application hearing. The invoice from the River

Rock hotel totals \$522.89 (Ex. K) and the Law Firm charged Delta \$226.14 as reflected on the September 30, 2025 bill. Mr. Currie testified that Mr. DeSouza travelled downtown to the courthouse from the River Rock on transit (a receipt for a Translink day pass issued on September 15, 2025, for \$17.95 is at Ex. L). Mr. Currie testified that the Law Firm charges its clients a meal stipend of \$75 for a half day or \$150 for a full day hearing, and a flat fee for mileage charges of \$150 when its lawyers travel to the lower mainland for court. On the September 30 bill, the Law Firm charged Delta \$75 on September 14 and \$75 on September 15 for Mr. DeSouza's meal stipends, as well as mileage on September 14 at \$150.

[55] The Law Firm's bills reflect that the Law Firm charges its clients \$0.45 per page for black and white copies, and \$0.95 per page for colour photocopies. On costs assessments, the registrars generally allow copies at \$0.25 per page and Mr. Currie did not speak to the basis for the higher fees being included on Delta's bill of special costs.

[56] I generally reviewed the disbursements claimed by Delta as part of its bill of special costs, taking into consideration the submissions of Mr. Lloyd and Mr. Currie's submissions.

[57] Based on the evidence before me, I am satisfied that it was appropriate that counsel for Delta attend the Application before Latimer J. in person and I find that at the time the disbursements claimed for Mr. DeSouza's travel to Vancouver were incurred, they were necessary and proper and that the amount claimed is reasonable. It is well established that the registrar may apply a "rough and ready" approach when determining a reasonable amount for disbursements charged for photocopies in a particular case. On the bill of special costs attached to the appointment, Delta claims \$674.55 for black and white photocopies (1,499 pages at \$0.45 per page) and \$214.70 for colour copies (226 pages at \$0.95 per page), a total of \$889.25 (to which some taxes have been added). I find that the amounts claimed for disbursements for copies is high in the circumstances and should be reduced to \$500 including taxes.

Conclusion

[58] Taking into account the factors set out in R. 14-1(3), considering the circumstances of the contempt proceeding against Lloyd Investments, including the assessment before me, I allow the special costs claimed by Delta against Lloyd Investments for the Application (including the sentencing hearing) at \$22,500, which includes disbursements and applicable taxes. As noted above, the parties did not make submissions on the costs of the assessment. Given the difficulty securing hearing time before the registrar, unless there is information of which I am not aware, in the circumstances of this case to save the parties having to attend at court a further time, I assess the costs of the assessment at \$2,500, including taxes and disbursements.

[59] I direct Delta to prepare and file for my signature a certificate of costs in Form 64 showing that the amount of special costs allowed after assessment, including the costs of the assessment itself, totals \$25,000.

“Registrar Gaily”