

CITATION: Lourenco v. Turner, 2018 ONSC 5553
COURT FILE NO.: CV-13-491648
DATE: 20180921

SUPERIOR COURT OF JUSTICE - ONTARIO

RE: Michael A. Lourenco, Plaintiff/Responding Party

AND:

Bourne Mills of Canada Inc., Richard Turner, Sylvia Turner, Rick Turner and
Byron Turner, Defendants/Moving Parties

BEFORE: Carole J. Brown

COUNSEL: *H. Syed*, for the Plaintiff/Responding Party

R. Birken, for the Defendants/Moving Party

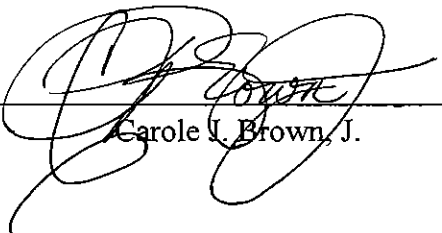
COSTS ENDORSEMENT

[1] The defendants were wholly unsuccessful as regards their motion for partial summary judgment. The plaintiff is entitled to his costs.

[2] Costs, which are intended to indemnify, in part or wholly, the successful party for costs incurred, must be fair, reasonable and within the expectations of the parties.

[3] The defendants, in their costs submissions, conceded that the plaintiff's counsels' hourly rates on a partial indemnity basis, were proper. I am satisfied that the costs sought by the plaintiff on a partial indemnity basis are reasonable, taking into consideration the nature and complexity of the issues. While the defendants submit that it would be within expectations for the plaintiff to have incurred fees of 18,800, based on the hours the defendants' counsel spent, they did not indicate their counsels' hourly rates, nor did they include a breakdown of their costs.

[4] I award the plaintiff his costs on a partial indemnity basis in the amount of \$38,000, all-inclusive, payable within 30 days.


Carole J. Brown, J.

Date: September 21, 2018