

EXAMPLE BILL OF COSTS

Form 127
Rule 40.18

Bill of costs

No. VIDxxx of 2016

Federal Court of Australia
District Registry: Victoria
Division: General

Albert Client and another

Applicants

ABCD Pty Ltd

Respondent

Costs of the Applicants to be taxed pursuant to the order of Justice Rose made on 3 June 2016

Date by which the estimate is expected to be made: [Registry will notify of the date for the estimate]

Registry: [address of Court]

Note: The written estimate is done in the absence of the parties and will be sent to the parties. No appearance is required unless notified otherwise by the Court.

Date:

Signed by an officer acting with the authority of
the District Registrar

Filed on behalf of (name & role of party) Albert Client and Caroline Client, Applicants
Prepared by (name of person/lawyer/costs consultant) Penny White, Partner
Law firm (if applicable) Violet Lawyers
Tel 03 8562 xxxx Fax _____
Email pwhite@violetlaw.com.au
Address for service Level 14, 87 The Street, Melbourne, Victoria, 3000
(include state and postcode)

PART A. CERTIFICATE

I, Penny White, Lawyer for the Costs Applicants certify that:

1. I have read the Federal Court's Costs Practice Note (GPN-COSTS).
2. The Costs Applicants, Albert Client and Caroline Client are not entitled to claim input tax credits in respect of GST relevant to the claims in the bill and have complied with Part 6 of the Costs Practice Note.
3. In the bill:
 - (a) the Costs Applicants are not claiming more than the Costs Applicants are liable to pay for costs and disbursements; and
 - (b) the calculations made are correct.
4. The amounts claimed in the bill are capable of further verification through source material (such as file records, tax invoices and receipts for payment) should such material be required by the Court to be produced.

Date: 1 July 2016

Signed by Penny White

PART B. TABLES OF RATES

(i) Lawyers

Name of lawyer	Position / title	Years of experience	Hourly Rate Excluding GST \$	Hourly Rate Including GST \$
Penny White [PW]	Partner	More than 10 years	(1 Jul 15 – 30 Jun 16) 600.00	660.00
Mark Grey [MG]	Senior Associate	6 to 10 years	(1 Jul 15 – 30 Jun 16) 370.00	407.00
Sarah Black [SB]	Lawyer	Less than 3 years	(1 Jul 15 – 30 Jun 16) 275.00	302.50

(ii) Counsel

Name of counsel	Position / title	Years of experience	Hourly Rate Excluding GST \$	Daily Rate Excluding GST \$
John Brown SC [JB]	Senior Counsel	More than 10 years	(1 Jan 16 – 31 Dec 16) 650.00	6,500.00
Nadia Green [NG]	Junior Counsel	Less than 3 years	(1 Jan 16 – 31 Dec 16) 400.00	4,000.00

PART C. SPECIAL NOTES

Orders / Rules: Order made by Justice Rose on 3 June 2016

Relevant Claim period: Schedule 3 FCR from 1 January 2014

Exceptional Circumstances: Nil

Loading: Instructions generally including the care, skill and responsibility required for a matter involving novel issues of fact and law (10% of total costs claimed)

PART D. CLAIMS – COSTS

Claim No.	Date	Scale Item	COSTS Description of work done	Amount inclusive of GST \$	Amount taxed off \$
1.	24 Dec 15	3.3	Reading email from Mr Client with instructions to act (100 words) attaching: Application and Statement of Claim	32.00	
2.	24 Dec 15	3.1 / 1.1	Reading Application (>300 words) and Statement of Claim (>1000 words) - 1 hr [PW]	580.00	
3.	24 Dec 15	2.1	Preparing Notice of Address for Service (>100 words)	52.00	
4.	24 Dec 15	1.3	eLodgment Notice of Address for Service	11.00	
5.	24 Dec 15	2.2	Letter to Applicant's solicitor serving Notice for Address for Service	22.00	
6.	24 Dec 15	9.1	Photocopying documents for service (375 pages @ \$0.10 per page)	37.50	
7.	10 Jan 16	1.1	Telephone attendance on Applicant's solicitor re timetabling – 18 mins [PW]	174.00	
8.	11 Jan 16	1.1	Telephone attendance with Mr & Mrs Client seeking further instructions – 6 mins [PW]	58.00	
9.	12 Jan 16	2.1	Preparing affidavit of Mrs Client (310 words)	104.00	
10.	12 Jan 16	1.1	Preparing annexures MC-1 & MC-2 (2 pages) and witnessing affidavit of Mrs Client – 0.5 hr [SB]	153.50	
11.	12 Jan 16	2.1	Email to Mrs Client enclosing affidavit for her review and instructions (> 50 words)	42.00	
12.	12 Jan 16	1.1	Witnessing affidavit of Mrs Client – 1 hr [SB]	307.00	
13.	12 Jan 16	2.2	Short email to all parties enclosing the affidavit by way of service	22.00	
14.	12 Jan 16	2.4	Letter to applicant's solicitor with settlement proposal (>200 words)	104.00	
15.	16 Feb 16	1.3	Telephone attendance on counsel/s chambers [JB] regarding availability for FCA case management hearing – 6 mins [SB]	11.00	
16.	16 Feb 16	2.1	Preparing alternate proposed timetabling orders for the CMH in relation to time to file defence and affidavits (>100 words)	104.00	
17.	16 Feb 16	4.1	Conference between PW and SB, PW giving direction regarding masking of documents – 1 hr [PW and SB]	987.00	

Claim No.	Date	Scale Item	COSTS Description of work done	Amount inclusive of GST \$	Amount taxed off \$
18.	16 Feb 16	7.1(a) / 1.1	Masking documents for a Notice to Produce to be served on the Respondent to mask legal professional privilege advice – 1 hr [SB]	302.50	
19.	16 Feb 16	8.1 / 1.1	Attendance to collate and paginate documents (300 pages) to be produced pursuant to the Notice to Produce – 1.5 hrs [SB]	165.00	
20.	16 Feb 16	1.1	Telephone attendance with counsel [JB] regarding brief and case management hearing – 12 mins [MG]	81.40	
21.	16 Feb 16	5.1 / 1.1	Research on cash v non-cash offers of compromise pursuant to the FCA Rules – 30 mins [SB]	151.25	
22.	17 Feb 16	3.2	Reading email from FCA via eLodgment – Defence accepted for filing	16.00	
23.	4 May 16	1.1	Attending conference with counsel [JB] and [NG] and Mr & Mrs Client before hearing – 1 hr [MG]	407.00	
24.	5 May 16	1.1	Attending FCA Hearing with counsel [JB] and Mr Client before Justice Rose - 3 hrs [MG]	1,221.00	
25.	1 Jun 16	1.2 [but say 1.3]	Telephone attendance on FCA registry to ascertain whether matter listed – 6 mins [Law Graduate]	11.00	
26.	3 Jun 16	1.1	Attending Court for delivery of judgment – 18 mins [SB]	97.75	
27.	3 Jun 16	3.1	Reading sealed FCA Order (1 page) – 6 mins [SB]	30.25	
28.	3 Jun 16	1.3	Considering costs print out and calculating estimate of costs – 30 mins [Clerk]	55.00	
29.	6 Jun 16	2.4	Without prejudice letter to applicant's solicitor making a settlement offer and time to pay, incl. costs and disbursements estimate (200 words) [SB]	104.00	
30.	10 Jun 16	2.5 / 1.1	Preparing Bill of Costs – 30 mins [SB]	151.25	
31.	11 Jun 16	9.1	Photocopying Bill of Costs (100 pages @ \$0.25 per page)	25.00	
32.	11 Jun 16	11.1 / 1.1	Skill, care and responsibility (Total professional costs of \$5,619.40 @ 10% = \$561.94)	561.94	
			Total Costs claimed	6,181.34	

PART E. CLAIMS – DISBURSEMENTS

Claim No.	Date	DISBURSEMENTS Description of disbursements incurred	Amount inclusive of GST \$	Amount taxed off \$
		Counsel fees for [Nadia Green] [Attach. 1]		
1.	31 Mar 16	Reading brief and preparing opinion for discussion at conference – 1 hr	440.00	
2.	4 May 16	Attendance on conference with senior counsel Mr & Mrs Client and instructors on 4 May - 1 hr	440.00	

Claim No.	Date	DISBURSEMENTS Description of disbursements incurred	Amount inclusive of GST \$	Amount taxed off \$
3.	6 Jun 16	Counsel's fees for [John Black SC] [Attach. 2] 1) 16 Feb 16 – Receiving instructions – 6 mins (\$65.00) 2) 2 May 16 – reading brief and preparation for conference with Instructors – 30 mins (\$325.00) 3) 4 May 16 – Attendance on conference with junior counsel, Mr & Mrs Client and instructors – 1 hr (\$650.00) 4) 5 May 16 – appearing at the FCA hearing before Justice Rose (daily rate - \$6,500.00)	8,294.00	
4.	4 May 16	Qantas airfares for Mr Client – Mt Isa to Sydney [Attach. 3]	456.00	
5.	4 May 16	Accommodation for Mr Client at That Hotel, Sydney – 1 night [Attach. 4]	297.00	
6.	4-4 May 16	Meal expenses for Mr Client – 2 days @ \$43.00 per day [Attach. 5]	86.00	
7.	5 May 16	Qantas airfares for Mr Client – Sydney to Mt Isa [Attach. 6]	399.00	
8.	7 May 16	Auscript transcript [Attach. 7]	380.00	
9.	11 Jun 16	Filing fee – Bill of Costs [Attach. 8]	405.00	
		Total Disbursements claimed	11,197.00	

PART F. TOTAL OF CLAIMS – COSTS & DISBURSEMENTS

Costs & Disbursements	Amount claimed inclusive of GST \$	Amount taxed and allowed \$
Total Costs claimed	6,181.34	
Total Disbursements claimed	11,197.00	
Total Costs and Disbursements claimed	17,378.37	