



July 22, 2010

Jeff G. Cowan
WeirFoulds LLP
The Exchange Tower, Suite 1600
P.O. Box 480, 130 King Street West
Toronto, Ontario, Canada M5X 1J5

Dear Mr. Cowan:

Re: Maximum Rates for Fixing Costs (Rule 57)

Thank you for your letter of May 10, 2010 providing the opportunity for the Ontario Bar Association to comment on the proposed changes to the maximum rates for partial indemnity costs under rule 57 of the Rules of Civil Procedure.

In response to your letter, the OBA formed a working group consisting of five litigation lawyers including representatives of the plaintiff and defence bar. The recommendations of the working group were submitted to the Civil Litigation and Insurance sections of the OBA and received the approval of the executives of both of those sections.

The working group submitted two different grids for the Rules Committee's consideration. The first grid is based on the 10-year increments found in the 2005 rates and is as follows:

Person	2005 Rate	2010 Proposed Rate
Law Clerks	\$80/hour	\$110
Student-at-Law	\$60/hour	\$90
Lawyer less than 10 years	\$225/hour	\$250
Lawyer 10 to 20 years	\$300/hour	\$350
Lawyer 20+ years	\$350/hour	\$400

The second grid is based on five-year increments and is as follows:

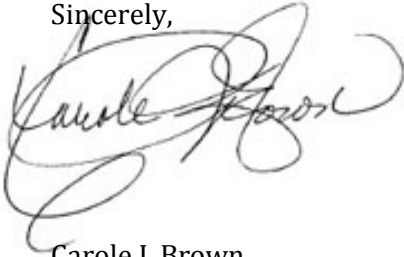
Lawyer	2010 Proposed Rate
Less than 5 years	\$200
5 to 10 years	\$250
10-15 years	\$300
15-20 years	\$350
20-25 years	\$400
25 plus	\$450

cont'd

The consensus of the Working Group was that five-year increments would better reflect experience levels.

We hope this information will be useful to the Rules Committee and we once again thank you for the opportunity to provide input into this process.

Sincerely,

A handwritten signature in black ink, appearing to read "Carole J. Brown". The signature is fluid and cursive, with a large initial "C" and "B".

Carole J. Brown
President
Ontario Bar Association