

## **E2: Sample Bill of Costs for Contentious Matters Other Than Trials**

### **IN THE GENERAL DIVISION OF THE HIGH COURT OF THE REPUBLIC OF SINGAPORE**

**Suit No. of 20**

**Bill of Costs No. of 20**

**GST Reg. No. (solicitors for appellant): 12345**

**GST Reg. No. (1st appellant): 67890 (20%)**

**2nd appellant: No GST Reg. No. (100%)**

**Between**

**AAA**

**BBB**

**..... Appellant**

**And**

**CCC**

**..... Respondent**

#### **BILL OF COSTS (for contentious business – other than trials)**

Applicant: Solicitors for the appellant

Nature of bill: Party and party

Basis of assessment: Standard basis

Basis for assessment: Judgment dated \_\_\_\_\_ ordering the respondent to pay 2/3 of the appellant's costs

<b>Section 1: Work done except for assessment</b>			
<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>
<b>1.</b>	<b>The claim</b>		
1.1	Nature of claim	Breach of contract	
<b>2.</b>	<b>Application / Proceedings</b>		
2.1	Nature of application or proceedings for assessment	Appeal to the Court of Appeal against the decision of Justice ABC finding that there was a breach of contract and ordering the appellant to pay damages of \$3.5 million to the respondent.	
<b>3.</b>	<b>Interlocutory attendances</b>		
3.1	Interlocutory applications - costs fixed by Court	CA/SUM 123/21: respondent's application for leave to set aside Notice of Appeal to CA on [date]. No affidavits filed. Costs awarded to appellant fixed at \$2,500	Hearing before CA for 20 minutes on [date]

<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>
3.2	Interlocutory applications – costs not fixed by Court	CA/SUM 345/21: appellant's application for leave to adduce further evidence on [date]. 2 affidavits filed (total 200 pages incl. 25 exhibits). Written submissions of 30 pages with 10 cases cited. Order in terms with costs in the cause.	Hearing before CA from 5.30 pm to 6.30 pm on [date].
3.3	Appeals to Judge in Chambers	Not applicable	
3.4	Other attendances	Not applicable.	
<b>4.</b>	<b>Hearing</b>		
4.1	Number of days/hours and date(s) of hearing	Number of days/hours fixed: 2 hours Number of days/hours of actual hearing: 1 hour  Date of hearing: 24 May 2021	Appeal was dismissed without the need for the respondent to address the Court.
4.2	Documents (apart from written submissions and authorities)	Core bundle: 2 vols, 50 pages Supplementary core bundle: 1 vol, 10 pages Record of Appeal: 10 vols, 2000 pages	
4.3	Witnesses (if any)	Not applicable.	
4.4	Written Submissions	Appellant's Case: 50 pages  Respondent's Case: 100 pages	
4.5	Authorities cited	Appellant: 10 cases Respondent: 5 cases	
4.6	Other post hearing filings	Not applicable.	
<b>5.</b>	<b>Complexity of cases</b>		
5.1	Legal issues	(1) Whether acceptance of an offer in an email forms a binding contract in the absence of a formal contract.	

<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>
5.2	Factual issues	(1) Whether the respondent sent the email that allegedly forms the basis of a binding contract between the parties;	
5.3	Complexity	Novel point of law involving .... [summary of the points]  Consideration of multiple alternative defences.  Major factual disputes in relation to X's authority to enter into the contract.	
5.4	Grounds of Decision	30 pages. In particular Judge commented on the complexity of case or novelty of issues at para [highlight relevant paragraphs in the grounds of decision].  5 authorities cited in the grounds.	
<b>6.</b>	<b>Urgency and importance to client</b>		
6.1	Urgency	Not applicable.	
6.2	Importance to Client	The sum involved is large and has a serious impact on the cash-flow of the company.	
6.3	Amount involved	The judgment sum amounted to \$3.5m.	
<b>7.</b>	<b>Skill, specialised knowledge and responsibility required of, time and labour expended by, solicitor</b>		
7.1	Number of letters/ faxes/emails exchanged between the parties	Appellant to Respondent: 100 Respondent to Appellant: 50 Appellant to Court: 3	

<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>
7.2	Number of letters/ faxes/emails to client	150	
7.3	Meetings with opposing counsel	Not applicable	
7.4	Time spent	100 hours	
7.5	Others	Not applicable.	
<b>8.</b>	<b>Number of solicitors involved</b>		
8.1	Counsel and Solicitors	Appellant: Mr ABC, SC, 15 years Ms DEF, 2 years  Respondent: Ms GHI, 10 years Mr JKL, 5 years	Ms DEF was however an in-house counsel in an MNC for 5 years prior to practice.
<b>9.</b>	<b>Proportionality</b>		
9.1	Amount claimed	[Please refer to the sample used for trials and modify as appropriate.]	
<b>10.</b>	<b>Conduct of the parties</b>		
10.1	Parties attempted at mediation at the Singapore Mediation Centre on 1 July 2020, after the filing of the Notice of Appeal.		

<b>Section 2: Work done for and in the assessment of costs</b>			
<i>No.</i>	<i>. Item</i>	<i>Description</i>	<i>Remarks</i>
11.	Work done	Drawing up bill of costs, documents and vouchers, attending hearing for assessment of costs and drawing up Registrar's certificate.	perusing
12.	Amount claimed	[Please refer to the sample used for trials and modify as appropriate.]	

<b>Section 3: Disbursements</b>			
<i>No.</i>	<i>Date</i>	<i>Description and amount claimed</i>	<i>Remarks</i>
13.	15/5/20	Notice of Appeal (Court fees): \$ xxx	
14.	3/6/20	Core Bundle (Court fees): \$ yyy	
<i>No.</i>	<i>Item</i>	<i>Description</i>	<i>Remarks</i>
15.	3/6/20	CA/SUM 123/21 (Court fees): \$ zzz	
16.	xxxx	[Nature of each disbursement and the amount claimed.]	
17.	-	<b>Total amount claimed: \$ xxxx</b> [Please refer to the sample used for trials and modify as appropriate.]	