

MEMORANDUM

[REDACTED]
Civil Accounts Department
MS

22nd July 1983

Report on Taxation

[REDACTED]
37/65/200458-82

In this account the Agents, Messrs. Ross Harper & Murphy elected to charge their account on a Block Fee basis and in the account included a restricted Extra Judicial Settlement Fee of £40.00 plus Session Fee.

The Auditor decided that the main consideration should revolve around whether the fee claimed was appropriate in that no agreement was reached between the parties. The choice was open to the Agents regarding the method of charging the account and having elected to charge Block Fees for the Precognitions and Instruction Fee it appeared to the Auditor that the Agents were attempting to "find" a "Block Fee" to accommodate the entries re the proposed settlement. The Auditor decided the Agents were in fact attempting to mix blocks and details and indicated that if this method was allowable their correspondence re (say a proposed specification) would also attract a restricted Block Fee.

The method used by the Agents was not allowed and the items were taxed off in full. The Instruction Fee was also apportioned between the old and new rates and no objection was raised by the agent.

247 16
~~214 43~~

1982

£ 50 00

3-76

Nov 10

Paid Abernethy McIntyre & Co's fee for service.

13 35

Nov 2

Extra Judicial settlement fee. (To cover negotiations between ourselves and the Defender's agents with a view to reaching a settlement) - restricted as a reconciliation was effected and the action did not proceed - to include meetings, correspondence etc.

40 00

PLEASE SUPPLY DETAILS OF MEETINGS AND COPIES OF CORRESPONDENCE IN CONNECTION WITH THIS

N.B YOU APPEAR TO BE CONCERNING THE POINT THAT 'ABORTING' NEGOTIATIONS ARE INCLUDED IN THE BLOCK 'EXTRA-JUDICIAL SETTLEMENT' FEE. OBVIOUSLY, NO SETTLEMENT WAS REACHED IN THIS CASE - Session fee thereon. WHEREBY ANCILLARY MATTERS WERE

3 00

DISPOSED OF BY JOINT MINUTE OR OTHERWISE. NEGOTIATIONS MUST THEREFORE HAVE BEEN ABORTIVE AS PROCEEDINGS APPEAR TO HAVE BEEN PROCEEDED.

1983

Apr 16

Framing Stage 4 Report. IF YOU ARE NOT CONCERNING THE POINT THEN THIS FEE SHOULD OF COURSE BE ALIQUOT COMPLETELY

1 40

Extending and copy.

1 00

Writing Law Society with account.

70

£ 63 35

293 26
~~268 53~~

46.76 fees

5.61 posts

Add posts and incidents @ 12%

35 19
~~31 26~~

52.37

£ 63 35

328 43
~~291 79~~

Add Outlays:

63 35

Add Counsel's Fees:

18 00

Audit Fee. £19-00

19 00

£ 428 80