



ONTARIO

Superior Court of Justice, Family Court

(Name of Court)

at 161 Elgin Street, Ottawa, Ontario K2P 2K1

(Court office address)

Court File Number

FC-15-2446-0

**Form 8: Application
(General)**

Applicant(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Jonathan William Kiska
1244 Lampman Cr
Ottawa, ON
K2P 1P8

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Katie Laframboise
Bell Baker LLP
700-116 Lisgar Street
Ottawa, Ontario K2P 0C2

Tel: (613) 237-3444

Fax: (613) 237-1413

Respondent(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Deirdre Moore
1244 Lampman Cr
Ottawa, ON
K2P 1P8

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

**FILED SUPERIOR COURT
OF JUSTICE AT OTTAWA**

NOV 17 2015

**DÉPOSÉ À LA COUR
SUPÉRIEURE DE JUSTICE À OTTAWA**

TO THE RESPONDENT(S):

A COURT CASE HAS BEEN STARTED AGAINST YOU IN THIS COURT. THE DETAILS ARE SET OUT ON THE ATTACHED PAGES.

☐ **THE FIRST COURT DATE IS** _____ **AT** _____ **a.m.** ☐ **p.m.** or as soon as possible after that time, at: (address)

NOTE: If this is a divorce case, no date will be set unless an Answer is filed. If you have also been served with a notice of motion, there may be an earlier court date and you or your lawyer should come to court for the motion.

☐ **THIS CASE IS ON THE FAST TRACK OF THE CASE MANAGEMENT SYSTEM.** A case management judge will be assigned by the time this case first comes before a judge.

☒ **THIS CASE IS ON THE STANDARD TRACK OF THE CASE MANAGEMENT SYSTEM. No court date has been set for this case** but, if you have been served with a notice of motion, it has a court date and you or your lawyer should come to court for the motion. A case management judge will not be assigned until one of the parties asks the clerk of the court to schedule a case conference or until a motion is scheduled, whichever comes first.

IF, AFTER 365 DAYS, THE CASE HAS NOT BEEN SCHEDULED FOR TRIAL, the clerk of the court will send out a warning that the case will be dismissed within 60 days unless the parties file proof that the case has been settled or one of the parties asks for a case or a settlement conference.

IF YOU WANT TO OPPOSE ANY CLAIM IN THIS CASE, you or your lawyer must prepare an Answer (Form 10 — a blank copy should be attached), serve a copy on the applicant(s) and file a

copy in the court office with an Affidavit of Service (Form 6B). **YOU HAVE ONLY 30 DAYS AFTER THIS APPLICATION IS SERVED ON YOU (60 DAYS IF THIS APPLICATION IS SERVED ON YOU OUTSIDE CANADA OR THE UNITED STATES) TO SERVE AND FILE AN ANSWER. IF YOU DO NOT, THE CASE WILL GO AHEAD WITHOUT YOU AND THE COURT MAY MAKE AN ORDER AND ENFORCE IT AGAINST YOU.**

Check the box of the paragraph that applies to your case

☐ This case includes a claim for support. It does not include a claim for property or exclusive possession of the matrimonial home and its contents. You **MUST** fill out a Financial Statement (Form 13 – a blank copy attached), serve a copy on the applicant(s) and file a copy in the court office with an Affidavit of Service even if you do not answer this case.

☒ This case includes a claim for property or exclusive possession of the matrimonial home and its contents. You **MUST** fill out a Financial Statement (Form 13.1 – a blank copy attached), serve a copy on the applicant(s) and file a copy in the court office with an Affidavit of Service even if you do not answer this case.

IF YOU WANT TO MAKE A CLAIM OF YOUR OWN, you or your lawyer must fill out the claim portion in the Answer, serve a copy on the applicant(s) and file a copy in the court office with an Affidavit of Service.

- If you want to make a claim for support but do not want to make a claim for property or exclusive possession of the matrimonial home and its contents, you **MUST** fill out a Financial Statement (Form 13), serve a copy on the applicant(s) and file a copy in the court office.
- However, if your only claim for support is for child support in the table amount specified under the Child Support Guidelines, you do not need to fill out, serve or file a Financial Statement.
- If you want to make a claim for property or exclusive possession of the matrimonial home and its contents, whether or not it includes a claim for support, you **MUST** fill out a Financial Statement (Form 13.1, not Form 13), serve a copy on the applicant(s), and file a copy in the court office.

YOU SHOULD GET LEGAL ADVICE ABOUT THIS CASE RIGHT AWAY. If you cannot afford a lawyer, you may be able to get help from your local Legal Aid Ontario office. (See your telephone directory under LEGAL AID.)

09 November 2015
Date of issue

Dina [Signature]
Clerk of the court

FAMILY HISTORY

APPLICANT: Age: 55 Birthdate: (d, m, y) September 29, 1960

Resident in (municipality & province) Ottawa, Province of Ontario

since (date) 1963

Surname at birth: Kiska

Surname just before marriage: Kiska

Divorced ☒ No ☐ Yes (Place and date of previous divorce)

RESPONDENT Age: 50 Birthdate: (d, m, y) 28, September, 1965

Resident in (municipality & province) Ottawa, Province of Ontario

since (date) 1965

Surname at birth: Moore

Surname just before marriage:

Divorced ☒ No ☐ Yes (Place and date of previous divorce)

RELATIONSHIP DATES:

☒ Married on (date) July 22, 2000 ☐ Started living together on _____
☒ Separated on October 9, 2015 ☐ Never lived together ☒ Still living together

THE CHILD(REN): List all children involved in this case, even if no claim is made for these children.

Full legal name	Age	Birthdate (d, m, y)	Resident in (municipality & province)	Now Living with (name of person and relationship to child)
Sean Charles Kiska	9	May 8, 2006	Ottawa, Ontario	Jonathan Kiska (Applicant Father) and Deirdre Moore (Respondent Mother)
Cate Stella Kiska	7	November 30, 2007	Ottawa, Ontario	Jonathan Kiska (Applicant Father) and Deirdre Moore (Respondent Mother)

PREVIOUS CASES OR AGREEMENTS

Have the parties or the children been in a court case before?

☒ No ☐ Yes

Have the parties made a written agreement dealing with any matter involved in this case?

☒ No ☐ Yes (Give date of agreement. Indicate which of its items are in dispute.)

Have the parties arbitrated or agreed to arbitrate any matter involved in this case?

☒ No ☐ Yes (Give date of agreement and family arbitration award, if any.)**CLAIM BY APPLICANT****I ASK THE COURT FOR THE FOLLOWING:** (Claims below include claims for temporary orders.)

Claims under the Divorce Act (Check boxes in this column only if you are asking for a divorce and your case is in the Superior Court of Justice or Family Court of the Superior Court of Justice.)	Claims under the Family Law Act or Children's Law Reform Act	Claims relating to property (Check boxes in this column only if your case is in the Superior Court of Justice or Family Court of the Superior Court of Justice.)
00 <input type="checkbox"/> a divorce	10 <input type="checkbox"/> support for me	20 <input checked="" type="checkbox"/> equalization of net family properties
01 <input type="checkbox"/> support for me	11 <input checked="" type="checkbox"/> support for child(ren) – amount	21 <input checked="" type="checkbox"/> exclusive possession of matrimonial home
02 <input type="checkbox"/> support for child(ren) – amount	12 <input type="checkbox"/> support for child(ren) – than table amount	22 <input type="checkbox"/> exclusive possession of contents of matrimonial home
03 <input type="checkbox"/> support for child(ren) – than table amount	13 <input checked="" type="checkbox"/> custody of child(ren)	23 <input type="checkbox"/> freezing assets
04 <input type="checkbox"/> custody of child(ren)	14 <input checked="" type="checkbox"/> access to child(ren)	24 <input type="checkbox"/> sale of family property
05 <input type="checkbox"/> access to child(ren)	15 <input type="checkbox"/> restraining/non - order	
	16 <input type="checkbox"/> indexing spousal support	
	17 <input type="checkbox"/> declaration of parentage	
	18 <input type="checkbox"/> guardianship over child's property	
Other claims		
30 <input checked="" type="checkbox"/> costs	50 <input checked="" type="checkbox"/> Other (Specify.)	
31 <input type="checkbox"/> annulment of marriage	1. Police enforcement clause.	
32 <input checked="" type="checkbox"/> prejudgment interest		

33 ☐ claims relating to a family arbitration

2. An order that the Respondent be prevented from removing the children, Sean Kiska, born May 8, 2006 and Cate Kiska, born November 30, 2007, permanently from the jurisdiction of the City of Ottawa without the consent of the Applicant or a Court order.
3. An order that the Respondent share in proportion to her income the extraordinary expenses (s. 7 expenses) of the children, Sean Kiska, born May 8, 2006 and Cate Kiska, born November 30, 2007.
4. An order that the Respondent designate the Applicant as the irrevocable beneficiary of her life insurance policies in trust for the children.
5. An order for the production of the full medical records of the Respondent inclusive of her mental health records from January 2011 to present. Including an order for continued disclosure of the Respondent's medical and mental health records.
6. An order for the production of the full records of the Children's Aid Society of Ottawa with respect to the Applicant, the Respondent and the children, namely, Sean Kiska, born May 8, 2006 and Cate Kiska, born November 30, 2007.
7. An order for the production of the full police records/reports of the Ottawa Police from January 2012 to present with respect to the Applicant, Respondent and children, namely, Sean Kiska, born May 8, 2006 and Cate Kiska, born November 30, 2007.

Give details of the order that you want the court to make. *(Include any amounts of support (if known) and the names of the children for whom support, custody or access is claimed.)*

1. An order for sole custody of the children of the marriage, namely, Sean Kiska, born May 8, 2006 and Cate Kiska, born November 30, 2007. In the alternative, an order that the parties have joint custody of the children, namely Sean Kiska, born May 8, 2006 and Cate Kiska, born November 30, 2007.
2. An order that the Respondent have access to the children, Sean Kiska, born May 8, 2006 and Cate Kiska, born November 30, 2007, according to their best interest.
3. An order that the children, Sean Kiska, born May 8, 2006 and Cate Kiska, born November 30, 2007, have their primary residence with the Applicant.

4. An order that the Respondent be prevented from removing the children, Sean Kiska, born May 8, 2006 and Cate Kiska, born November 30, 2007, permanently from the jurisdiction of the City of Ottawa without the consent of the Applicant or a Court order.
5. An order that the Respondent, once employed, pay child support to the Applicant for the support of the children, Sean Kiska, born May 8, 2006 and Cate Kiska, born November 30, 2007, in accordance with the Federal Child Support Guidelines.
6. An order that the Respondent share in proportion to her income the extraordinary expenses (s. 7 expenses) of the children, namely, Sean Kiska, born May 8, 2006 and Cate Kiska, born November 30, 2007.
7. An order for the equalization of the net family property of the parties.
8. An order that the Applicant have exclusive possession of the matrimonial home located at 1244 Lampman Cr., Ottawa, ON K2P 1P8.
9. An order that the Respondent designate the Applicant as the irrevocable beneficiary of her life insurance policies in trust for the children.
10. An order for the production of the full medical records of the Respondent inclusive of her mental health records from January, 2011 to present. Including an order for continued disclosure of the Respondent's medical and mental health records.
11. An order for the production of the full records of the Children's Aid Society of Ottawa (the "CAS") with respect to the Applicant, the Respondent and the children, namely, Sean Kiska, born May 8, 2006 and Cate Kiska, born November 30, 2007.
12. An order for the production of the full police records/reports of the Ottawa Police from January 2012 to present with respect to the Applicant, Respondent and children, namely, Sean Kiska, born May 8, 2006 and Cate Kiska, born November 30, 2007.
13. An order that the Ottawa Police Force or any other appropriate Police Forces have the right to locate, apprehend and deliver the children, Sean Kiska, born May 8, 2006 and Cate Kiska, born November 30, 2007, in accordance with this order. For the purpose of locating and apprehending the children, they shall have the right to enter and search any place where he or she has reasonable and probable grounds for believing that the children may be, with such assistance and such force as is reasonable in the circumstances at any time.
14. An order for costs of this matter on a substantial indemnity basis.
15. An order for pre-judgment interest in accordance with the Courts of Justice Act.
16. Such further and other orders as this honourable court deems just.

IMPORTANT FACTS SUPPORTING MY CLAIM FOR DIVORCE

- ☐ **Separation:** The spouses have lived separate and apart-and
- ☐ have not lived together again since that date in an unsuccessful attempt to reconcile.
- ☐ have lived together again during the following period(s) in an unsuccessful attempt to

(Give dates.)

☐ **Adultery:** ~~The respondent has committed adultery. (Give details. It is not necessary to name any other but, if you do name the other person, then you must serve this application on the other person.)~~

☐ **Cruelty:** ~~The respondent has treated the applicant with physical or mental cruelty of such a kind continued cohabitation intolerable. (Give details.)~~

IMPORTANT FACTS SUPPORTING MY OTHER CLAIM(S)

(Set out below the facts that form the legal basis for your other claim(s).)

Background

1. The parties were married on July 22, 2000 and separated on October 9, 2015.
2. There are two children of the marriage, namely, Sean Kiska (9), born May 8, 2006 and Cate Kiska (7), born November 30, 2007.
3. The parties are currently living with the children at 1244 Lampman Crescent in Ottawa, ON.

Custody

4. The Applicant is the co-founder of AdvisorOnTrack which is a management consulting professional services company. He earns an annual income of approximately \$70,000.00. He has flexible hours and is available to meet the needs of the children on a daily basis.
5. During the marriage, the Applicant was fully involved with respect to the care of the children. The Applicant stayed home for 5 months when his son was born and 3 months when his daughter was born. The parties shared on an equal basis the parenting of the children with respect to feeding, clothing, playing, educating and taking them to their medical and dental appointments. The parties have had a close and loving rapport with the children.
6. The Applicant acknowledges that the Respondent has played a critical and positive role in the lives of the children and will continue to do so in the future. The reality is, however, that the Respondent suffers from serious mental health issues which prevent her from making decisions that are in the best interest of the children, at least in the interim. The Respondent has been diagnosed with Bipolar Disorder with psychotic features. The Respondent refuses to acknowledge this diagnosis and she has failed to adhere to any long-term treatment. This creates significant risk to the children's wellbeing. The family cannot continue down this path of uncertainty, fear and instability. This is not in the best interest of these children.
7. A summary of the Respondent's pertinent medical history/events is as follows:
 - February, 2013 – Onset of her psychiatric mental illness.

- March 3-5, 2013 – The Respondent is hospitalized at the Ottawa Hospital, Civic Campus, in psychiatry under the care of Dr. Saul. This was the result of a two-week period wherein she was exhibiting bizarre behaviour and manic and psychotic symptoms. Her medical records note that she improved with Seroquel, a mood stabilizer and anti-psychotic medication. The Respondent discontinued the medication shortly after discharge and did not attend any of her scheduled follow up appointments.
- April 16-May 28, 2013 – The Respondent was admitted to the Ottawa Hospital, Civic Campus, under a Form 1 (Application for Psychiatric Assessment). This allowed the hospital to admit the Respondent on an involuntarily basis for up to 72 hours. Subsequently, a Form 2 (Order for Examination) and a Form 3 (Certificate of Involuntary Admission) were completed. She requested a Consent and Capacity Board hearing, which confirmed her involuntary status and incapacity to consent to treatment. She was being treated for her bipolar disorder with psychiatric features. She was prescribed Olanzapine but she later admitted to checking her medication. She was prescribed Lithium. Her discharge diagnosis was Bipolar Affecting Disorder, manic episodes with psychotic features. She discontinued Lithium upon release.
- July 3-5 2014 - the Respondent called the police on July 3, 2014 and requested transportation to the Montfort Hospital. After trying to leave the hospital she was placed under a Form 1 under the care of Dr. Fleury. The Respondent was put on Olanzapine. She was discharged on July 5, 2014 after explaining that she wanted to be home for her son's birthday party. The Applicant agreed to her return. The Respondent did not go home, however, she checked into a bed and breakfast in Gatineau. The Applicant had contacted the Ottawa Police and they traced the Respondent's whereabouts through a credit card search. After the fact, she described that she was in a delusional state and needed to be at the casino so that her actions/notes could be recorded on video surveillance.
- July 9, 2014-September 5, 2014 - the Respondent was admitted to the ER at the Ottawa Hospital, the Civic Campus. The treating doctor, Dr. Pageau, completed a Form 1 and treated the Respondent with Olanzapine. She adamantly refused treatment and denied her diagnosis of Bipolar. She requested a Consent and Capacity Board Hearing. The hearing was held on July 30, 2014 and the Board upheld the hospital's decision to admit her and this allowed them to begin treatment. Once treatment was started and the Respondent's behaviour was stabilized, the children visited her in the hospital. As part of her treatment plan Dr. Charbonneau, in cooperation with the Applicant and the Respondent's sister, placed her on an involuntary Community Treatment Order.
- During her hospitalization she could go out during the day on a day pass. The Applicant discovered that during these passes she rented an apartment in Gatineau and leased a 2014 Murano vehicle from a Quebec dealership. She informed the Applicant that her goal was to establish residency in Quebec where the Community Treatment Order would not apply.

- During September, 2014, the Respondent slept at her Gatineau apartment. She would attend the family home before the children would wake-up and leave once they were in bed. The parties reconciled in October, 2014.
 - October, 2014-December 2014 - the family was back into a routine. The kids were back at school and enrolled in regular extracurricular activities such as swimming, skating and piano. During this time the parties saw a counsellor approximately 2 times.
 - January, 2015-May, 2015 - the Respondent secured part-time employment at Carleton University. In or about May, 2015 she attended an interview for a contract position at the Export Development Corporation (EDC). During this time she experienced a delusional episode. She believed that the mafia wanted her to get the job at EDC since the organization may somehow facilitate the mafia with money laundering. She informed the Applicant that when she took Latuda the delusions went away.
 - In September, 2015, the Respondent became increasingly upset with the Applicant after reading a doctor's note describing a conversation that the doctor and the Applicant had regarding her mental health in July, 2014. She believes the information contains 90% lies. Communication between the parties breaks down.
 - On October 9, 2015, the Applicant arrived home around 4:30 p.m. to find one of Cate's friends arriving for a scheduled playdate but no one was home. The Applicant texted and called the Respondent several times without receiving a response. He drove to the Canadian Mental Health Association to see if the Respondent attended her initial Board meeting. He was informed that she did not attend. He noticed that Sean and Cate's pillows and favorite stuffed animals were gone along with the Respondent's pillows and the children's passports. The Applicant informed family members and called 911 by 6 p.m.. The police arrived around 6:30 p.m. and were in the house until 1:00 a.m. (case no. 15-257822). By 'pinging' the Respondent's cell phone they found her and the children at the Lac Lemay hotel. On Sunday, October 11, 2015, the Respondent and the children returned home. The CAS arrived around 9:00 p.m. that night to interview the Applicant and the children. They could not interview the Respondent because she had left unannounced and the family could not locate her. The children informed the CAS worker, Yvonne Munro, that during their time in Gatineau, the Respondent was talking to herself as well as laughing and crying. The CAS told the Applicant that the children should not be left unsupervised with the Respondent. They also indicated that he should seek an emergency custody order.
 - October 11, 2015-present. The Respondent is presently under psychiatric observation at the Ottawa Hospital/Civic Campus. The Respondent comes home from the hospital on day and weekend passes. There is limited communication between the parties. The irregular visits to the home are confusing to the children.
8. The Applicant hopes that the Respondent regains her health and commits and adheres to a long-term treatment plan. The children's emotional wellbeing cannot be disrupted any further.

9. The Applicant is more than willing to work with the Respondent and communicate with her with respect to the children's best interest, but in the event that is not possible, the Applicant needs to be able to make decision for the children's benefit. The Respondent must commit and adhere to a treatment program. At the moment, and for the past few years, the Applicant does not know what's going to happen from month to month. This is very unstable and frightening for everyone involved.
10. The Applicant will ensure that the Respondent has maximum contact and maximum access to the children. The Applicant is able to meet the children's physical and emotional needs. In fact, the Applicant has parented the children on his own during the Respondent's hospital visits and during any time of difficulty. He has been a stable and supportive father since their birth.
11. The Applicant has been responsible for all of the children's homework assignments and school functions for the past 2.5 years. Since March 1, 2013, the Respondent has not communicated with the children's school (Sir Winston Churchill) because the Vice President called the CAS with respect to her bizarre behaviour. He goes to all parent teacher interviews and has done the majority (90%) of the children's homework for the past 2 school years.
12. In the alternative, and the event that it is deemed to be the best interest of the children, the Applicant would be willing to share custody with the Respondent. At the present time, however, the Applicant is very concerned with the mental health of the Respondent and her inconsistent adherence to treatment. The Applicant is extremely worried about the children's safety when the Respondent is in a disillusioned/manic state which is serious and random.

Access

13. The Applicant believes that all access between the Respondent and the children should be supervised in the interim. The CAS worker Yvonne Munro has expressed concern over the children's wellbeing. The children are worried and confused in light of the events and need time to regain their sense of security with the Respondent.
14. In the interim, the Applicant is seeking an order that access between the Respondent and children be supervised.
15. The Applicant is hopeful that the Respondent will commit to an appropriate treatment plan and that access can gradually move from supervised to unsupervised. The Applicant's ultimate goal is to exercise a shared-parenting arrangement with the Respondent, if and when it is in their best interest.

Non-Removal

16. As documented above, the Respondent has taken the children to Quebec without the Applicant's knowledge or permission. This occurred at a time when the Respondent was experiencing delusions and manic episodes. The Applicant fears for the children's safety and believes that the Respondent's movement with the children should be limited to the City of Ottawa, at least and until her mental health is properly treated.

Child Support and Section 7 Expenses

17. If the children are in the primary care of the Applicant, and the Respondent is employed, then child support should be paid by the Respondent to the Applicant in accordance with the Child Support Guidelines. Section 7 expenses should be paid in proportion to the parties' incomes.

Life Insurance

18. If the Respondent has life insurance coverage, the Applicant is requesting that she designate him as the irrevocable beneficiary in trust for the children.

Equalization of the Net Family Property

19. As outlined in the Applicant's Financial Statement, there are significant family assets. The Applicant is requesting that the parties equalize their net family property.

Exclusive possession of the Matrimonial Home

20. The past few years have been very unpredictable and chaotic at this family home. The children have seen their mother (the Respondent) taken away by ambulance and/or police on more than one occasion. This has been very troubling for them and cannot continue. The Respondent's behaviour is bizarre and erratic and it is not in the best interest of the children to continue to witness this behaviour or worry about when it might occur next. The children need to feel safe and secure in their home and in order to provide that security, the Applicant requires exclusive possession of the matrimonial home.
21. The Applicant is not placing blame or trying to point fingers and he understands that the Respondent has a medical issue. The reality is, however, that this family can no longer reside under the same roof. The Applicant is fully prepared to help the Respondent secure and maintain separate living accommodations. The parties have the financial means to live in separate homes.
22. The Applicant is fully capable of meeting the children's physical and emotional needs. He has parented the children on his own during the Respondent's hospital visits and during any time of difficulty. He works as a co-founder of AdvisorOnTrack which is a management consulting professional services company. He earns an annual income of approximately \$70,000.00. He has flexible hours and he is available to meet the needs of the children on a daily basis. He currently drops the children off at school and picks them up.

Disclosure & Police Enforceability Clause

23. The Respondent's medical, mental health, CAS records and police reports are highly relevant to the issues in this Application and will shed light on what course of action is in the best interest of the children.
24. The Respondent's past behaviour has been very unpredictable and the police have been involved on several occasions. It is likely that the Applicant will need assistance from the police in enforcing any custody/access order made by this court or agreed to by the parties.

Put a line through any blank space left on this page.

November 9, 2015

Date of signature


Signature of applicant

LAWYER'S CERTIFICATE

For divorce cases only

My name Katie Laframboise
is: _____

~~and I am the applicant's lawyer in this divorce case. I certify that I have complied with the requirements of section 9 of the Divorce Act.~~

Date

Signature of Lawyer



For information on accessibility of court services for people with disability-related needs, contact:

Telephone: 416-326-2220 / 1-800-518-7901 TTY: 416-326-4012 / 1-877-425-0575



Superior Court of Justice, Family Court

(Name of court)

at 161 Elgin Street, Ottawa, Ontario K2P 1P8
 Court office address

Court File Number

FC-15-2446

Form 6B: Affidavit of Service
 sworn/affirmed

NOV. 10, 2015

Applicant(s)

Full legal name & address for service — street & number, municipality,
 postal code, telephone & fax numbers and e-mail address (if any).

Jonathan William Kriska
 1244 Lampman Cr,
 Ottawa, Ontario K2P 1P8

Lawyer's name & address — street & number, municipality, postal
 code, telephone & fax numbers and e-mail address (if any).

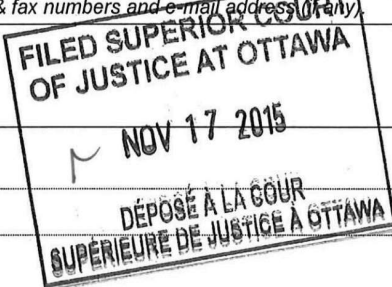
Katie Lamframboise,
 Bell Baker LLP
 700-116 Lisgar Street,
 Ottawa, Ontario K2P 0C2

Respondent(s)

Full legal name & address for service — street & number, municipality,
 postal code, telephone & fax numbers and e-mail address (if any).

Deirdre Moore
 1244 Lampman Cr,
 Ottawa, Ontario K2P 1P8

Lawyer's name & address — street & number, municipality, postal
 code, telephone & fax numbers and e-mail address (if any).



My name is (full legal name) Matthew Kelly

I live in (municipality & province) Ottawa, in the Province of Ontario

and I swear/affirm that the following is true:

1. On (date) November 10, 2015, at (time) 11:00 a.m., I served (name of person to be served)
Deirdre Moore with the following document(s) in this case:

Name of document	Author (if applicable)	Date when document signed, issued, sworn, etc.
Form 8: Application	A	Nov. 9, 2015
Form 35.1: Affidavit in Support	A	Nov. 9, 2015
Form 13.1: Financial Statement	A	Nov. 9, 2015
Notice of Assessment 2012, 2013, 2014	A	
Form 13A: Certif of Financial Disclosure	A	Nov. 9, 2015
Form 14: Notice of Motion	A	Nov. 9, 2015
Form 14A: Affidavit	A	Nov. 9, 2015
Respondent's MIP Notice		
Form 10: Answer (blank)		
Form 13.1: Financial Statement (blank)		

List the
 documents
 served

NOTE: You can leave out any part of this form that is not applicable.

2. I served the documents mentioned in paragraph 1 by:

- ☒ special service. (Go to paragraph 3 below if you used special service.)
☐ mail. (Go to paragraph 4 if you used mailed service.)
☐ courier. (Go to paragraph 5 if you used courier.)
☐ deposit at a document exchange. (Go to paragraph 6 if you used a document exchange.)
☐ through an electronic document exchange. (Go to paragraph 7 if you used an electronic document exchange.)
☐ fax. (Go to paragraph 8 if you used fax.)
☐ by email. (Go to paragraph 9 if you used email.)
☐ substituted service or advertisement. (Go to paragraph 10 if you used substituted service or advertisement.)

Check one
 box only and
 go to
 indicated
 paragraph.

3. I carried out special service of the document(s) on the person named in paragraph 1 at *(place or address)*
Ottawa Civic Hospital, at C1053 Carling Avenue, Ottawa, Ontario.

by: ☒ leaving a copy with the person.

☐ leaving a copy with *(name)* _____

Check one
box only.
Strike out
paragraphs 4
to 10 and go
to paragraph
11.

☐ who is a lawyer who accepted service in writing on a copy of the document.

☐ who is the person's lawyer of record.

☐ who is the *(office or position)* _____

of the corporation named in paragraph 1.

☐ mailing a copy to the person together with a prepaid return postcard in Form 6 in an envelope bearing the sender's return address. This postcard, in which receipt of the document(s) is acknowledged, was returned and is attached to this affidavit.

☐ leaving a copy in a sealed envelope addressed to the person at the person's place of residence with
(name) _____

who provided me with identification to show that he/she was an adult person residing at the same address and by mailing another copy of the same document(s) on the same or following day to the person named in paragraph 1 at that place of residence.

☐ other *(Specify. See rule 6 for details.)* _____

4. I mailed the document(s) to be served by addressing the covering envelope to the person named in paragraph 1 at:
(Set out address.) _____

which is the address ☐ of the person's place of business.

☐ of a lawyer who accepted service on the person's behalf.

☐ of the person's lawyer of record.

☐ of the person's home.

☐ on the document most recently filed in court by the person.

☐ other *(Specify.)* _____

Check appropriate
paragraph and strike
out paragraphs 3, 5, 6,
7, 8, 9 and 10.

5. The document(s) to be served was/were placed in an envelope that was picked up at _____ a.m./p.m. on
(date) _____ by *(name of courier service)* _____

a private courier service, a copy of whose receipt is attached to this affidavit. The envelope was addressed to the person named in paragraph 1 at: *(Set out address.)* _____

which is the address ☐ of the person's place of business.

☐ of a lawyer who accepted service on the person's behalf.

☐ of the person's lawyer of record.

☐ of the person's home.

☐ on the document most recently filed in court by the person.

☐ other *(Specify.)* _____

Check appropriate
paragraph and strike
out paragraphs 3, 4, 6,
7, 8, 9 and 10.

sworn/affirmed

FC-15-2446

6. The document(s) was/were deposited at a document exchange. The exchange's date stamp on the attached copy shows the date of deposit. *(Strike out paragraphs 3, 4, 5, 7, 8, 9, 10 and 13.)*
7. The documents were served through an electronic document exchange. The record of service from the exchange is attached to this affidavit. *(Strike out paragraphs 3, 4, 5, 6, 8, 9, 10 and 13.)*
8. The document(s) to be served was/were faxed. The fax confirmation is attached to this affidavit. *(Strike out paragraphs 3, 4, 5, 6, 7, 9, 10 and 13.)*
9. The documents were served by email. Attached to this Affidavit is a copy of the email that the document was attached to. *(Strike out paragraphs 3, 4, 5, 6, 7, 8, 10 and 13.)*
10. An order of this court made on (date) _____ allowed
- ☐ substituted service.
- ☐ service by advertisement. *(Attach advertisement.)*

The order was carried out as follows: *(Give details. Then go to paragraph 13 if you had to travel to serve substitutionally or by advertisement.)*

11. My relationship to, or affiliation with, any party in this case is as follows:

private process server

12. I am at least 18 years of age.

13. To serve the document(s), I had to travel _____ kilometres. My fee for service of the document(s) is \$ _____ including travel.

Sworn/Affirmed before me at **Ottawa**

_____ municipality

in **the Province of Ontario**

_____ province, state, or country

on **November 10, 2015**

_____ date

Commissioner for taking affidavits
(Type or print name below if
signature is illegible.)

Signature

(This form is to be signed in front of a
lawyer, justice of the peace, notary
public or commissioner for taking
affidavits.)

Michael Conrad Atkinson, a Commissioner, etc.,
Province of Ontario, for MCA Process Service, and
for Process Serving and Residential Tenancies Act,
2006 matters only. Expires Dec. 5, 2015.