

Superior Court of Justice Family Court Branch

(Name of court)

at 161 Elgin Street, Ottawa, Ontario K2P 2K1

Court office address

Form 14B: Motion
Form

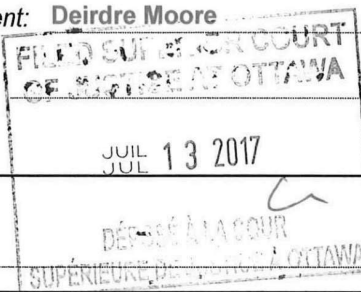
Names of parties: Deirdre Moore
Jonathan Kiska

Applicant: Jonathan Kiska

Respondent: Deirdre Moore

Hearing date: July 13, 2017
10:00

Name of case
management judge:



This form is filed by:

☐ applicant ☒ respondent ☐ (Other; specify.)

This motion is made:

☐ with the consent of all persons affected ☐ with notice to all persons affected – unopposed
☒ with notice to all persons affected – opposition expected ☐ without notice

NOTE TO PERSON MAKING THIS MOTION: If this is a motion to change past and future support payments under an order that has been assigned to a government agency, you must also serve this motion form on that agency. If you do not, the agency can ask the court to set aside any order that you may get in this motion and can ask for court costs against you.

Order that you want the court to make: (If you need more space, add an extra sheet but do not make any changes to this form.)

I would like the Court's permission to submit an Amended Answer to revise the history of events and make revisions to the Orders requested.

Laws and rules on which you are relying: (Give name of statute and section numbers; name of regulation and section numbers; and rule numbers.)

ONTARIO REGULATION 114/99
FAMILY LAW RULES

RULE 11: AMENDING AN APPLICATION, ANSWER OR REPLY

AMENDING APPLICATION OR ANSWER WITH COURT'S PERMISSION

(3) On motion, the court shall give permission to a party to amend an application, answer or reply, unless the amendment would disadvantage another party in a way for which costs or an adjournment could not compensate. O. Reg. 114/99, r. 11 (3).

I want the court to deal with this motion:

- ☐ by relying only on written material. ☒ in a hearing at which affected persons may attend personally.
- ☐ by conference telephone call. (An appointment for such a call must be arranged in advance; see rule 14 of the Family Law Rules.)

At this motion, I am relying on the following material:

- ☐ Tabs/pages _____ of the continuing record
- ☐ Pages _____ of the transcript of the evidence of (name of person) _____, dated _____

(Relevant parts of the transcript must be highlighted.)

This party's lawyer (Give lawyer's name, firm, telephone & fax number and e-mail address [if any]. If no lawyer, give party's name, and address for service, telephone & fax number and e-mail address [if any].)

Deirdre Moore
7 Vanson Avenue, Ottawa, Ontario K2E 6A9
mobile: 613-791-1451 deirdre@cceh.ca

Other party's lawyer (Give lawyer's name, firm, telephone & fax number and e-mail address [if any]. If no lawyer, give party's name, and address for service, telephone & fax number and e-mail address [if any].)

Wade Smith
700-116 Lisgar Street, Ottawa, Ontario K2P 0C2
phone: 613-237-3444 wsmith@bellbaker.com


Signature


Date of signature

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 6B: Affidavit of Service
sworn/affirmed

July 7, 2017

Applicant(s)

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

Jonathan Kiska
1244 Lampman Crescent, Ottawa, Ontario K2C 1P8
mobile: 613-723-0010 jk@johnkiska.com

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

Wade Smith
700-116 Lisgar Street, Ottawa, Ontario K2P 0C2
phone: 613-237-3444 wsmith@bellbaker.com

Respondent(s)

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

Deirdre Moore
7 Vanson Avenue, Ottawa, Ontario K2E 6A9
mobile: 613-791-1451 deirdre@cceh.ca

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

[Stamp: COURT OF JUSTICE, OTTAWA, JUL 13 2017, DÉPOSÉ À LA COUR SUPÉRIEURE DE JUSTICE, OTTAWA]

My name is (full legal name) **Deirdre Ann Moore**

I live in (municipality & province) **City of Ottawa, Ontario**

and I swear/affirm that the following is true:

1. On (date) July 7, 2017, at (time) 9³⁰ a.m., I served (name of person to be served) Wade Smith with the following document(s) in this case:

Name of document	Author (if applicable)	Date when document signed, issued, sworn, etc.
Form 14B-Notice of Motion - Amended Answer	Deirdre Moore	July 7, 2017
Form 14A-Motion Affidavit - Amended Answer	Deirdre Moore	July 7, 2017

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.)
- ☐ same day courier. (Go to paragraph 5 if you used courier.)
- ☐ next day courier. (Go to paragraph 5 if you used courier.)
- ☐ deposit at a document exchange. (Go to paragraph 6 if you used a document exchange.)
- ☐ an electronic document exchange. (Go to paragraph 7 if you used an electronic document exchange.)
- ☐ fax. (Go to paragraph 8 if you used fax.)
- ☐ 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)

700-116 Ligar Street, Ottawa, Ontario K2P 0C2

by: ☐ leaving a copy with the person.

☒ leaving a copy with (name) Elizabeth Vaughn

☐ 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) receptionist

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.) _____

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.) _____

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:

Respondent

12. I am at least 18 years of age.

13. To serve the document(s), I had to travel 9 kilometres. My fee for service of the document(s) is \$ 0 including travel.

Sworn/Affirmed before me at Ottawa
municipality

in Ontario
province, state, or country

on July 13, 2017
date

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

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