

Deirdre Moore

From: Wade Smith <WSmith@bellbaker.com>
Sent: Monday, March 20, 2017 7:33 AM
To: Deirdre Moore; jk@johnkiska.com
Subject: RE: Rule 19 - Document Disclosure

In that they are your reports, it is your obligation to contact the various doctors/hospitals and produce your medical records.

Wade L. Smith
Bell Baker LLP
700-116 Lisgar Street
Ottawa, Ontario
K2P 0C2
613-237-3448 (324)

This Exhibit 'D' referred to in the
Affidavit of Deirdre Moore,
sworn before me at the City of Ottawa, this
20 day of April, 2017.
[Signature]
A Commissioner for taking affidavits

From: Deirdre Moore [mailto:deirdre@cceh.ca]
Sent: March-19-17 9:43 PM
To: jk@johnkiska.com; Wade Smith
Subject: Rule 19 - Document Disclosure

Mr. Kiska, Mr. Smith,

Perhaps I erred in my previous requests as per attached? Plus, I am not sure who to ask ... so I am asking both of you.

According to Form 8 of your Application (Disclosure and 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 is in the best interest of the children."

According to Rule 19: Document Disclosure,

19. (1) Subject to subrule (1.1), every party shall, within 10 days after another party's request, give the other party an affidavit listing every document that is,

- (a) **relevant to any issue in the case;** and
- (b) in the party's control, or **available to the party on request.** O. Reg. 114/99, r. 19 (1); O. Reg. 383/11, s. 5 (1).

(2) **The other party is entitled, on request,**

- (a) **to examine any document listed in the affidavit, unless it is protected by a legal privilege;** and
- (b) to receive, at the party's own expense at the legal aid rate, a copy of any document that the party is entitled to examine under clause (a). O. Reg. 114/99, r. 19 (2).

(3) **Subrule (2) also applies, with necessary changes, to a document mentioned in a party's application,** answer, reply, notice of motion or affidavit. O. Reg. 69/15, s. 7 (2).

Please provide documents as per Rule 19(1) with respect to your Application. Meanwhile, I will start working on a second Form 22.

Thank you.
Deirdre Moore, CFA, BBA