

Superior Court of Justice Family Court Branch

(Name of court)

Court File Number

FC-15-2446-0

at 161 Elgin Street, Ottawa, Ontario K2P 2K1

Court office address

Form 14A: Affidavit

(general) dated

March 20, 2018

REPLY
Affidavit

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 jonathankiska@gmail.com

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

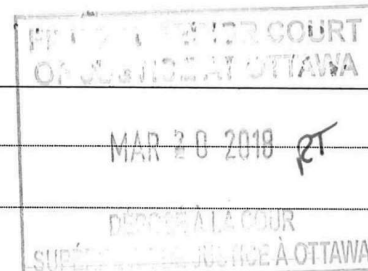
Wade Smith
700-116 Lisgar Street, Ottawa, Ontario K2P 0C2
phone: 613-237-3444 wsmith@bellbaker.com

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_cfa@icloud.com

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



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:

Set out the statements of fact in consecutively numbered paragraphs. Where possible, each numbered paragraph should consist of one complete sentence and be limited to a particular statement of fact. If you learned a fact from someone else, you must give that person's name and state that you believe that fact to be true.

[A large diagonal line is drawn across the page, indicating that the statements of fact section is empty.]

1. Jonathan William Kiska ("KISKA") is the Applicant. It should be noted that KISKA served to Deirdre Moore ("MOORE") his Form 8 along with a Notice of Motion seeking, among other things, sole custody of their two children. He continues to seek sole custody (see Exhibit A) by triggering MOORE's stress-related illness and then claiming that she is a danger to the children.
2. The Settlement Conference held on January 26, 2018 went ahead despite my (then) lawyer stating that it should be a case conference instead of a settlement conference (given the significant changes to the orders granted for MOORE's amended Answer—see Volume 5, tab 11, Exhibit B—even though the changes to her facts section were denied.
3. At the Settlement Conference, most issues were not discussed as KISKA remained focused on continued efforts to convince the Court that MOORE is severely mentally ill. (see exhibit B)
4. MOORE is meeting with Katherine Bobula (OCL Clinician) on Sunday March 25th. MOORE is hopeful that Ms. Bobula will be able to provide some advice on how to co-parent with a person like KISKA and whether or not he should be permitted to have shared custody or simply visitation rights.
5. MOORE has brought this Motion for Interim Financial Support because it is necessary: she has no money or reliable source of income.
6. MOORE has also requested sale of the matrimonial home so that she can renovate her home in order to produce rental income; thus reducing her dependence on and contact with KISKA. MOORE realizes that KISKA will delay trial for as long as possible in order to "wear her down".

>> KISKA has delayed the separation process given any opportunity (see Volume 3, Tab 4, Exhibits A and B) and continues to do so. <<

7. MOORE does not recall "appearing" at KISKA's lawyer's office after the Settlement Conference. She did, however, immediately contact Joel Beauregard regarding a home appraisal as soon as possible. (see Exhibit C)
8. MOORE attempted to canvass availability from KISKA's lawyer prior to booking a date for this Motion (see Factum for this Motion: Exhibit B); however, as highlighted in the exhibits referred to in #6 above, co-operation from KISKA's lawyer is rare.
9. As advised by agents at the Courthouse, MOORE believed that she could serve multiple affidavits, as long as they were served and filed before 2:00 p.m. two days prior to the date of the Motion.
10. As per #8 above, MOORE attempted to canvass KISKA's lawyer's availability several times.
11. MOORE requests that the Motion not be adjourned as the matters are urgent. MOORE is unclear about any arguments that KISKA's lawyer could possibly make as MOORE's requests are reasonable and supported by law. Furthermore, MOORE needs to file her tax return and is not in position to do so (which is why she is requesting order #4 and #5.) The setting of a trial date is paramount for the well-being of MOORE and her two children.
12. MOORE did declare all of her income to the best of her ability. There is no way for her to account for KISKA's contributions (one cheque was even marked "for 2017/2018"!). It should be noted that the \$50,000 dividend was a reduction in MOORE's savings that were meant for retirement. KISKA also received a \$50,000 dividend as he is a 50% shareholder in their company.
13. The \$50,000 that MOORE received from their company in 2018 was a shareholder loan. (She will provide documentation of the MOORE-KISKA conversation at the Motion.) KISKA is merely trying to inflate MOORE's income—as meaningful support to MOORE is avoided and the corporate assets are being drained.

14. KISKA's statements regarding income all require scrutiny as they change with each document that is filed. His initial application stated that he earned \$70,000 per year (See Volume 1, Tab 1, Page 7). His updated Form 13.1 indicates that he earned \$137,000 for 2017. I have other document where he states his income will be \$120,000.
15. KISKA's Affidavit statement #15 is false and MOORE looks forward to seeing proof of this statement at the Motion.
16. KISKA has not paid any expenses regarding the children's eyeglasses, dentist appointments or vacations—the exception being their trip to Canada's Wonderland where he left my then 9-year old daughter alone as KISKA took my son on a ride.
17. KISKA's Affidavit statement #17 is false. Among other things, MOORE has had to purchase bicycles, laptops, iPads and other items that needed to be duplicated so she could avoid ongoing abuse and intimidation by KISKA. (see Exhibit D)
18. As KISKA has stated, MOORE "used to make" [good money]. This is no longer the case. (KISKA is well aware of the intensity with which MOORE has attempted to retain employment as all documents have been provided to his lawyer.)
19. KISKA's statement #19 is false. MOORE's daughter is currently experiencing a very high level of anxiety. MOORE is doing everything possible to help her daughter (see Form 14C).
20. KISKA's statement #20 is false: most positions for financial analysts require a CBC level of bilingualism and not BBB.

AS MOORE RECEIVED KISKA's AFFIDAVIT AT 3:26 p.m. YESTERDAY, MOORE CANNOT COMPLETE THIS
REPLY IN TIME FOR THE SERVICE AND FILING DEADLINE OF TODAY AT 2:00 p.m.

[A large diagonal line is drawn across the main body of the page, indicating that the content has been crossed out.]

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

Sworn/Affirmed before me at City of Ottawa
municipality

in Ontario
province, state, or country

on March 20th, 2018
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.)