

Superior Court of Justice, Family Court

(Name of Court)

Court File Number

FC-15-2446-0

at 161 Elgin Street, Ottawa, Ontario, K2P 2K1

(Court office address)

Form 10: Answer

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).

Factum Affidavit of Deirdre Moore

sworn before me at the City of Ottawa, this

21 day of August, 2017

INSTRUCTIONS: Financial Statement

COMPLETE A FINANCIAL STATEMENT (Form 13) IF:

- you are making or responding to a claim for spousal support; or
- you are responding to a claim for child support; or
- you are making a claim for child support in an amount different from the table amount specified under the Child Support Guidelines.

You must complete all parts of the form **UNLESS** you are **ONLY** responding to a claim for child support in the table amount specified under the Child Support Guidelines **AND** you agree with the claim. In that case, only complete Parts 1, 2 and 3.

COMPLETE A FINANCIAL STATEMENT (Form 13.1) IF:

- you are making or responding to a claim for property or exclusive possession of the matrimonial home and its contents; or
- you are making or responding to a claim for property or exclusive possession of the matrimonial home and its contents together with other claims for relief.

A Commissioner for taking affidavits

TO THE APPLICANTS: Jonathan William Kiska

If you are making a claim against someone who is not an applicant, insert the person's name and address here.

AND TO: (full legal name)

an added respondent,

of (address of added party)

My name is (full legal name) Deirdre Ann Moore

1. I agree with the following claim(s) made by the applicant: (Refer to the numbers alongside the boxes on page 4 of the application form.)
20-equalization of net family property, 21- exclusive possession of matrimonial home,
2. I do not agree with the following claim(s) made by the applicant: (Again, refer to the numbers alongside the boxes on page 4 of the application form.)
11 – support for the children, 13- custody of the children, 14 – access of the children, 21-exclusive possession of matrimonial home, 30- costs, 32- prejudgement interest, 50 – other.
3. ☒ I am asking that the applicant's claim (except for the parts with which I agree) be dismissed with costs.
4. ☒ I am making a claim of my own. (Attach a "Claim by Respondent" page. Otherwise do not attach it.)
5. ☒ The FAMILY HISTORY, as set out in the application,

☐

is correct

☒

is not correct

(If it is not correct, attach your own FAMILY HISTORY page and underline those parts that are different from the applicant's version.)

6. The important facts that form the legal basis for my position in paragraph 2 are as follows: (In numbered paragraphs, set out the facts for your position.)

Set out below.

Put a line through any blank space left on this page

Date of signature

Respondent's signature

CLAIM BY RESPONDENT

Fill out a separate claim page for each person against whom you are making your claim(s).

7. THIS CLAIM IS MADE AGAINST

- ☒ THE APPLICANT
☐ AN ADDED PARTY, whose name is (full legal name) _____

(If your claim is against an added party, make sure that the person's name appears on page 1 of this form.)

8. 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 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.)	Claims relating to child protection
00 <input checked="" type="checkbox"/> a divorce	20 <input checked="" type="checkbox"/> equalization of net family Properties	40 <input type="checkbox"/> access
01 <input checked="" type="checkbox"/> support for me	21 <input type="checkbox"/> exclusive possession of matrimonial home	41 <input type="checkbox"/> lesser protection order
02 <input checked="" type="checkbox"/> support for child(ren) - table amount	22 <input type="checkbox"/> exclusive possession of contents of matrimonial home	42 <input type="checkbox"/> return of child(ren) to my care
03 <input type="checkbox"/> support for child(ren) - other than table amount	23 <input checked="" type="checkbox"/> freezing assets	43 <input type="checkbox"/> place child(ren) into care of (name) _____
04 <input checked="" type="checkbox"/> custody of child(ren)	24 <input checked="" type="checkbox"/> sale of family property	44 <input type="checkbox"/> children's aid society wardship for _____ months
05 <input checked="" type="checkbox"/> access to child(ren)		45 <input type="checkbox"/> society supervision of my child(ren)
Claims under the Family Law Act or Children's Law Reform Act	Other claims	
10 <input checked="" type="checkbox"/> support for me	30 <input checked="" type="checkbox"/> Costs	
11 <input checked="" type="checkbox"/> support for child(ren) - table amount	31 <input type="checkbox"/> annulment of marriage	
12 <input type="checkbox"/> support for child(ren) - other than table amount	32 <input checked="" type="checkbox"/> prejudgment interest	
13 <input checked="" type="checkbox"/> custody of child(ren)	33 <input type="checkbox"/> claims relating to a family arbitration	
14 <input checked="" type="checkbox"/> access to child(ren)		
15 <input checked="" type="checkbox"/> restraining/non-harassment Order		
16 <input checked="" type="checkbox"/> indexing spousal support		
17 <input type="checkbox"/> declaration of parentage		
18 <input checked="" type="checkbox"/> guardianship over child's property		
50 <input checked="" type="checkbox"/> other (Specify.)		
Police enforcement clause		

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 the awarding of compensation for general, aggravated and punitive damages due to the intentional infliction of mental suffering and emotional distress.

2. An order that the Applicant pay costs due to Bad Faith exhibited throughout the proceedings.
3. An order for the awarding of compensation due to attempted parental alienation.
4. An order that the Applicant pay costs associated with psychotherapy for children to reduce the impact of attempted parental alienation on their psyche.
5. An order for the awarding of compensation due to the tort of defamation.
6. An order for the awarding of compensation due to the tort of breach of fiduciary responsibility.
7. An order for the awarding of compensation for general, aggravated and punitive damages due to the negligent infliction of mental suffering and emotional distress.
8. An order for pecuniary damages related to the criminal act of Defamatory Libel.
9. An order for pecuniary damages related to the criminal act of Criminal Harassment.
10. An order for pecuniary damages related to the criminal act of Mischief.
11. An order for compensatory spousal support.
12. An order for non-compensatory spousal support.
13. An order for retroactive spousal and child support.
14. An order for constructive trusts and/or vesting orders for cost recovery and/or damages awards.
15. An order that the Applicant pay full cost of these proceedings.
16. An order that the Ottawa Police Services remove the word "bipolar disorder" from their description of me in their databases.
17. An order that the Applicant not come within 500 metres of the Respondent's home or harass Respondent by way of phone, text, e-mail or any other form of communication.
18. An order for a divorce;
19. An interim and permanent order for joint custody of the children of the marriage, namely, Sean Kiska (born May 8, 2006) and Cate Kiska (born November 30, 2007);
20. An interim and permanent order that the children reside with both parents in an equal timesharing arrangement on a 2/2/3 schedule or other schedule that the Court deems appropriate;
21. In the alternative, an order that the parties jointly retain the services of professional to prepare a custody and access assessment report that provides recommendations to the Court as to an appropriate parenting schedule;
22. An interim and permanent order for equal division of holiday time between the parties including Christmas, March Break, Easter holiday, Thanksgiving, etc.;
23. An interim and permanent order that either party is prevented from removing the children permanently

from the jurisdiction of the City of Ottawa without the written consent of the other parent or a Court Order;

24. An interim and permanent order for child support payable pursuant to the Federal Child Support Guidelines having regard to the parenting arrangements in place;
25. An interim and permanent order that the children's special and extraordinary expenses be paid by the Applicant both parties in proportion to their respective incomes as set out in section 7 of the Federal Child Support Guidelines;
26. An interim and permanent order that the Applicant pay spousal support to the Respondent in an amount to be determined;
27. An interim and permanent order requiring the Applicant to maintain a purchase a paid-up policy of life insurance in an amount sufficient to secure his child and spousal support obligations and that he designate the Respondent as irrevocable beneficiary thereof in trust for the children;
28. An interim and permanent order requiring the Applicant to purchase a paid-up insurance policy on daughter Cate Kiska's right eye.
29. An order for the awarding of compensation for any and all costs relating to a forced sale of the Vanson Avenue property (and movement to a different dwelling) due a lack of meaningful support by the Applicant that has/will ultimately lead to the Respondent's inability to maintain the property's mortgage, taxes, insurance and/or the Respondent's living expenses. *happening now*
30. An order for the reimbursement of any credit card or line of credit interest that the Respondent incurred due to a lack of meaningful support and access to home equity or business savings.
31. An order for the awarding of compensation for all costs arising from Applicant's 2015 Emergency Custody Order including, but not limited to:
 - a. family counsel-related legal fees and
 - b. real estate-related fees for the conversion of an investment property into a primary residence located in the children's school zone.
32. An order for the awarding of compensation for loss of AdvisorOnTrack Inc. retained earnings and increased personal taxation due to reassessment of expenses by Canada Revenue Agency.
33. An order for equalization of the parties' net family properties.
34. An order for the partition and sale of the jointly held matrimonial home located at 1244 Lampman Cr., Ottawa, Ontario, K2C 1P8;
35. An order for the:
 - a. conversion of the Applicant's registered investments into risk-free, registered investments and
 - b. subsequent freezing of afore-mentioned assets.
36. An order of the provision of all 2016 and 2017 invoices billed by Applicant for contracts that were initially awarded to the jointly-held company incorporated by the Respondent, AdvisorOnTrack Inc.

37. An order of the provision of all 2016 and 2017 expenses incurred by the Applicant for the purposes of earning revenue from contracts that were initially awarded to the jointly-held company incorporated by the Respondent, AdvisorOnTrack Inc.
38. An order that the Applicant be required to perform community services for The Ottawa Hospital and other taxpayer-funds services in an amount that the Court deems appropriate.
39. An order for costs of this matter on a fullsubstantial indemnity basis.
40. An order for pre-judgement interest in accordance with the Courts of Justice Act.
41. An order that this order be police enforceable.
42. Such further and other orders as this Honourable Court deems just.

IMPORTANT FACTS SUPPORTING MY CLAIM(S)

(In numbered paragraphs, set out the facts that form the legal basis for your other claim(s).)

Introduction

1. As of August 14, 2017, I finally have all of the following key materials:
 - the Ottawa Police Services (OPS) reports
 - the Children's Aid Society reports
 - all of my files from The Ottawa Hospital.
2. I now have enough documentation to support a request for a divorce for cruelty (Form 8A) that I announced pre-maturely on October 1st, 2015—but I can't, because on November 27th 2015, my husband served me with a bogus emergency custody order/Application (Form 8).
3. Psychiatrists, Patient Advocacy Services and Victims of Partner Assault Services at The Ottawa Hospital are all now aware of my story.
4. David Veshkini of Ottawa Victim Services and Nicholas Watters of the Mental Health Commission of Canada are supportive of my pursuit of an Advocacy/Activist role regarding the fragility of mental health when in an abusive relationship.

Background:

5. I am the Respondent herein and have personal knowledge of the matters set out in this my Answer, except where I state that my knowledge is based on information and belief, in which case I identify the source and do verily believe same to be true.
6. The parties began cohabiting in 1997~~and~~, were married on July 22, 2000 and started their third and final separation on November 27, 2016. They have two (2) children of the marriage namely, Sean (age 11) and Cate (age 9).
7. Both parties have a background in finance. The Applicant ("Husband") holds a Bachelor of Commerce and a Chartered Professional Accountant Designation. The Husband also holds a Master's in Business Administration. The Respondent ("Wife") holds a Bachelors in Business Administration and has

achieved her Chartered Financial Analyst designation.

8. ~~Shortly after the parties were married, the Wife left her full time position with National Bank Financial to become an independent management consultant. She set up a consulting business, AdvisorOnTrack ("AOT"), which she operated as a sole proprietorship until January 2004, when she then incorporated this company. In 2002, the Wife left her \$100,000+ salary full-time job to start a consulting firm, AdvisorOnTrack ("AOT"), which she incorporated in 2004.~~
9. ~~Around this same time period~~ Shortly thereafter, the Husband lost his position with InTouch Survey Systems and also decided to become an independent consultant. The parties began invoicing clients under AOT and have primarily earned dividend income from AOT since that time. The parties each own 50% of the shares of AOT and are both officers of the company.
10. ~~Following the birth of their children~~ Prior to the birth of their first child, the parties agreed that the Wife would ~~reduce her workload work from home~~ so that she could ~~also~~ focus her attention on childcare responsibilities. ~~However, given the nature of their work as independent contractors and the fact that the Wife had been working as a consultant with AOT for a longer period by the time that the children were born, she had to take on more consulting work than was initially anticipated resulting in the Husband also taking some time off to be at home with the children in the first few months of their son's birth in 2006. However, the Husband was unable to secure any contracts for the first few months after their son was born, so the Wife continued to work full-time in order to maintain their financial stability.~~
11. By 2007, the Husband had built up his reputation and client base and has since that time ~~been being~~ the primary contractor for AOT allowing the Wife to focus her attention on the care of the children. The Wife is highly attuned to each child's routine and needs and has always ensured that her children are her top priority. For example, the Wife:
 - a. Breastfed both children: Cate until she was 12 months old and Sean until he was 4 months old (as he had difficulty nursing). Once the children were no longer breastfeeding, the Wife would prepare healthy meals for the children by making her own baby food;
 - b. Managed the children's healthcare needs including:
 - i. Scheduling medical and dental appointments on her days off from work and taking the children to all appointments;
 - ii. Administering the children's medications;
 - c. Managed the children's education and childcare needs including:
 - i. Researching appropriate pre-school arrangements for the children;
 - ii. Registering them in nursery school and pre-kindergarten programs;
 - iii. Developing home schooling materials for phonics and music;
 - iv. Assisting and supervising the completion of homework. The Husband took on a larger role assisting with homework completion however the Wife plays a larger role in piano instruction as well as supporting French homework as the bilingual parent;
 - d. Taking the children to and from school every day as well as to their various activities (piano, organized sports, etc.). The Mother and children also enjoyed frequent visits to the library;
 - e. Researched and registered the children in various activities including playgroups;

- f. Purchased clothes, toys, crafts, books, and other education items for the children including supplies required for school;
 - g. Planned and organized the children's birthday parties;
 - h. Planned and organized activities for holidays such as Canada Day (picnics, t-shirt making, etc.);
 - i. Purchased gifts for the children to bring to friend's birthday parties
 - j. Ensured the children had family dinners on the weekends, and would organize dinners at the home so that both sets of their extended families would attend;
 - k. Was responsible for purchasing all the gifts for the children including Christmas presents, Easter presents and birthdays;
 - l. Shared the responsibilities surrounding the children's grooming including bathing the children, washing/combing through their hair and cutting their nails;
 - m. Sharing responsibility for putting the children to bed and ensuring that they followed their bedtime routine including brushing their teeth, reading bedtime stories, and snuggle time before going to sleep;
 - n. Prior to hiring a part-time housekeeper in 2012, assuming the majority of the household management tasks including:
 - i. Preparing the family meals;
 - ii. Shopping for family groceries;
 - iii. Preparing the children's lunches and snacks;
 - iv. Washing and organizing the children's clothing;
 - v. Keeping the home tidy, clean, and organized.
 - o. Taking turns in washing the dishes and cleaning up the kitchen after meals.
12. Even after the children began attending school full time, the Wife continued to work part-time so that she could maintain an active role in the children's care including:
- a. Driving them to and from school each day;
 - b. Driving them to playdates and birthday parties;
 - c. Organizing playdates at home;
 - d. Attending all medical and dental appointments related to the children;
 - e. Taking the children to piano lessons and assisting them with their practice at home;
 - f. Attending school concerts, events, and activities;
 - g. Volunteering on the school board and volunteering for other activities;
 - h. Organizing special events and adding special touches such as preparing themed cakes, cookies, clothing, and homemade invitations;
 - i. Encouraging the children to lead an active lifestyle by taking them on walks and bike rides and registering them in sports programs suited to their interests and abilities;
 - j. Encouraging the children to explore the arts through participation in crafting and music;
 - k. Encouraging the children to make healthy food choices by discussing nutrition.

13. The Husband was generally away from the home each weekday from 8:00 a.m. to 5:00 p.m. The parties

would share in the evening routine with the children when the Husband returned home from work such as homework assistance, bath and bedtime routine, as well as taking children to extracurricular activities on weekends.

14. Until 2014, the Wife continued to earn significant revenue working part-time during weekends and evenings while being a stay-at-home mum. Over the years, depending on her workload, the Husband would take some days off of work so the Wife could meet her deadlines.

The Wife's Medical Condition:

15. In 2013, the Wife began experiencing mental health issues. These changes began around the same time in each that the Wife began experiencing symptoms of menopause. Early in 2013, as the Wife began planning to return to full-time employment, she and her Husband began to argue over a number of issues, namely:
- planning a short beach holiday, and
 - considering the replacement of a part-time, live-out housekeeper with a full-time, live-in nanny.
16. The Wife shared personal information regarding the intensity of these arguments with their son's teacher (Mrs. Dawna Gates). On February 27th, Mrs. Gates alerted the Wife that she was concerned with the Wife's emotional state and that she had discussed the situation with the school's principal, Mrs. Aisling O'Donnell.
17. Two days later, On March 1st, the Wife went to the school to share her book idea (entitled "How I Bullied the Bully out of my Husband"). At that point, the administrative staff at the school became extremely concerned about the Wife's emotional and mental state and they contacted the Children's Aid Society ("CAS").
18. That evening, CAS worker, Yvonne Munro, arrived but focused only on the Wife's mental state and gave sole custody of the children to the Husband.
19. Losing custody of her children worsened the Wife's mental condition significantly.
20. On March 3, 2013, the Husband phoned the Ottawa Police Services ("OPS") and the Wife was committed to the psychiatric emergency services (involuntarily) at The Ottawa Hospital.
21. Psychiatric evaluation—in particular in emergency situations—relies heavily on what the industry refers to as "collateral" information provided from family members.
22. Mrs. Moore was too heavily sedated to be interviewed so, during that first admission, the attending psychiatrist relied solely on the Husband's collateral information in order to reach a diagnosis.
23. The mental health issues experienced by the Wife since 2013, have led approximately 3 instances where the Wife required extended hospitalization following episodes where she was experiencing delusions and paranoid thoughts. Instead of explaining to the psychiatrists that the Husband and Wife had been arguing for several weeks, the Husband intertwined false collateral information with true statements that misdirected physicians away from a psychosis-related diagnosis and towards a diagnosis of "acute manic episode" resulting from bi-polar disorder.
24. On March 5th, after being held for 72 hours, the attending physician, Dr. Saul, could see no evidence of mania and released the Wife—he did not realize that the Wife was simply in a slight remission from a psychotic state.

25. On March 6th, Mrs. Gates phoned the CAS to inform them of the arguments between the Husband and Wife; however, the note was filed by CAS worker Jessica Henry and no further investigation/action was made/taken.
26. On April 16, 2013, mental instability re-emerged and the Wife phone OPS twice. Initially, she asked to be brought to a women's shelter. Returning home after a brief stay, she then asked to be brought to The Ottawa Hospital.
27. Following her release on May 28, 2013, the Wife spent a considerable amount of time researching mental illness in order to identify her condition because—having never experienced mania or depression—she knew it was not bi-polar disorder.
28. The Wife shared all of her mental illness research findings with her Husband who, on June 4, 2013, stated "I don't think it's [Delusional Disorder] but [Brief Psychotic Disorder and Schizoaffective Disorder] seem more plausible than [bi-polar disorder]".
29. The Wife's mental state returned to normal without medication. She continued take care of her children, deliver quarterly publications for her client, returned to her usual fitness regime, made several new friends at The Athletic Club and continued to host and attend all family functions. She also continued to actively look for full-time employment as both children were now in school full-time.
30. In April 2014, however, the Wife discovered some disturbing information about The Athletic Club and—given her experience with The Office of the Superintendent of Financial Institutions (OSFI)—suspected that it might be a money-laundering operation. She informed the Husband of this and he told her that she was just being paranoid.
31. Shortly thereafter, the Husband became extremely focused on domestic finances and marital conflict began to escalate. By the middle of June, the Husband was demanding a detailed financial analysis of the family spending. On June 26, 2014, the Wife provided the Husband with a spreadsheet that detailed three months' worth of expenses.
32. There was no unusual spending other than a series of purchases and returns that she made as she tried to buy a new outfit to attend one of her friend's (Shawn Kerr) first bodybuilding competitions. The Husband was aware of these purchases and returns as the Wife did a "fashion show" before selecting one.
33. The Wife's mental health deteriorated throughout June and on July 3rd, the Wife phoned OPS and asked to be brought to the Montfort Hospital.
34. On July 5th, she was (again) released pre-maturely in a psychotic state because the physicians were looking for signs of mania that is related to bi-polar disorder. The Husband assured physicians that she was "calmer". He also stated that they "would pursue counselling for their marital challenges".
35. After her release, and very paranoid, the Wife immediately returned to the psychiatric ward at the Montfort demanding a letter of discharge. They would not provide one so she refused to leave. At that point, the nurses called hospital security who physically dragged the Wife out of the hospital and walked her to Montreal Road where she was warned not to return. Her mental state worsened and she returned to a full-blown psychotic state.
36. Still psychotic, the Wife went to Gatineau and stayed:
 - a. With "gypsies" who were camping by a river bank,

- b. In a bed and breakfast that did not require a credit card, and
 - c. A motel with internet access that also did not require a credit card.
37. The Wife returned home on July 7th in an attempt to be with her family. However, in the days that followed, she phoned OPS several times and finally asked to be brought to The Ottawa Hospital on July 10th.
38. On July 10th, as she was being assessed at admittance, the Husband phoned in and provided Nurse McIntosh with another batch of false "collateral information" that was intertwined with true facts. Her status was converted from voluntary to involuntary.
39. During her hospitalization, the Wife requested a Consent and Capacity Board hearing; however, the Husband provided the physicians with even more false "collateral information" and the diagnosis of bi-polar disorder was confirmed.
40. In August 2014, Dr. Charbonneau issued a Community Treatment Order—forcing a treatment plan for bi-polar disorder.
41. Suspecting the Husband's involvement in her mis-diagnosis, upon discharge in September 2014 the Wife moved to Gatineau in order to:
- a. initiate a separation from her husband,
 - b. avoid the known side-effects of a treatment plan for an illness she knew she didn't have, and
 - c. seek "better" medical services from the Quebec system.
42. However, it was difficult for the Wife to find legal representation given her history of mental illness. In addition, the Husband pleaded for her return and stated it was the doctors who "twisted his words" in order to arrive at the bi-polar diagnosis. The Wife returned home in September 2014.
43. Slowly, she started to try to trust her husband but in September 2015, the Wife discovered a note in her hospital file that documented the false collateral provided by the Husband on July 10, 2014. She immediately initiated the separation process by moving her bedroom into the basement.
44. Later in September, in response to several demands made by the Wife, the Husband agreed that he would contact the hospital in order to "adjust [her] medical file" but he failed to do so.
45. On October 1st, the Wife notified the Husband that she would be initiating divorce proceedings.
46. In the days that followed, marital stress escalated and by October 10th the Wife realized how exposed she and her children were to the Husband's erratic behaviour. She took herself and her children to the Hilton hotel in Gatineau and began to seek out shelters.
47. Unable to access shelters and with limited funds, she returned home on October 12th where she remained until the Husband's family arrived with Thanksgiving dinner. Feeling that her children would be safe, the Wife drove to The Ottawa Hospital and requested a fair psychiatric assessment.
48. Upon admittance, the Wife told physicians that the Husband was trying to frame her with having bi-polar disorder and being a bad parent so that he could get full custody of the children.
49. Altogether, between April 2013 and October 2015, the Wife has phoned OPS several times to report

verbal, emotional and/or sexual abuse and be brought voluntarily to the hospital. However, each of these times she had already entered a psychotic state so reasonable discussions with OPS and physicians were limited.

50. In all but the most recent of hospitalizations, inclusions of the Husband's false collateral information continued to support an Axis-I diagnosis of bi-polar disorder; though, Dr. Fleury at the Montfort Hospital did recognize Acute Adjustment Disorder on Axis-I and identified it as the most responsible diagnosis.
51. Several reports did note "stressors related to marital conflict" on Axis-IV and elsewhere; however, this aspect was essentially ignored.
52. Following one month of voluntary hospitalization in order to learn how to better manage anxiety, on November 12th, 2015, the Wife was discharged with a diagnosis of Psychosis (not otherwise specified) by Dr. Gary Kay.
53. Meanwhile, the Husband took advantage of her voluntary hospitalization to seek out an Emergency Custody Order that was served two days prior to the Wife's discharge on November 10th, 2015.
54. As an aside, during her voluntary hospitalization, she also purchased a house from a "friend" who was in financial distress. Her plan was, however, to remain in the matrimonial home for the required one-year separation period. It was during this period that she first learned about "gaslighting" when she found an article hidden under a pillow in the sunroom.
55. The Order was not granted and the Husband and Wife pursued the separation process until April 2016 when the Wife felt that she was not in a financial position to provide for herself and her children on a shared custody basis as planned.
56. She returned home with the mindset that they would be parents and business partners.
57. Following six months of attempted reconciliation, the Wife realized that "marital conflict" was escalating again. In particular, she recognized the "gaslighting" techniques that were being employed by the Husband.
58. On November 20, 2016 she contacted her lawyer in order to re-initiate the separation process; however, she asked that the papers not be served until the following week, November 28, 2016.
59. The Wife then contacted her family physician, Dr. Judy Chow, her psychiatrist, Dr. Deanna Mercer, and the Children's Aid Society to let them know the status of the relationship (in case her mental health deteriorated). She wanted them to know that her condition was caused by "marital stress"/anxiety and not the mood disorder, bi-polar.)
60. The Wife began the process to evict her "friend"/"tenant" from her Vanson property.
61. The Wife prepared to move into her 7 Vanson property, a 3-bedroom home, by purchasing furniture, lighting fixtures, mattresses for the children and other household items; the cost of which came to approximately \$25,000.
62. To reduce expenses, the Wife also began to visit dealerships in order to trade in her high-end Nissan Murano for a small used Toyota—though the Husband told people that she had instead bought a second car (implying that she was experiencing a manic episode).

63. On November 27, 2017, the Husband discovered a receipt in one of the Wife's coat pockets and texted the Wife that they were separated as of that day.
64. On that same day, the Wife then purchased five major appliances and other items worth approximately \$15,000; primarily because the retailers offered a full cash refund for up to one year. In anticipation of running out of money during the separation process, she believed this was her only way to convert credit into the cash that she would eventually need. She then paid off the credit cards with the joint (mortgage-based) line of credit.
65. If the Wife had not made these arrangements, she and her children would currently be living in an empty 3-bedroom home.
66. At the advice of her lawyer and the CAS, the Wife rented and moved into a nearby condo on December 11, 2016.
67. The Wife and Husband signed an Interim Shared Parenting agreement on December 13, 2016.
68. The children began living with the Wife and the Husband on a 2-2-3 split on January 1, 2017.
69. The Wife successfully evicted the tenant and acquired possession of her Vanson property on March 1, 2017 and moved from the condo to the house by the end of March.
70. In March of 2017, the Wife's diagnosis of Psychosis (not otherwise specified) was further fine-tuned to Brief Psychotic Disorder by Dr. Iris Jackson.
71. The Wife asserts that the sole source of her mental illness which began in February 2013 was the emotional, verbal, psychological and sexual abuse that she has endured, primarily, for the past five years.
72. In consultation with psychiatrists Dr. Kay and Dr. Mercer (The Ottawa Hospital) and Dr. Judy Chow (her family physician), the Wife has been successfully managing her mental health for over a year and a half with the following medications:
 - a. Lamotrigine (daily): prescribed to manage anxiety
 - b. Clonazepam (as needed): prescribed to manage heightened anxiety
 - c. Immovane (as needed): prescribed as a sleep aid
 - d. Latuda (as needed): prescribed to eliminate delusions of reference—the Wife's pre-cursor to psychosis
73. She has also been advised to remain physically active and, in particular, participate in morning yoga classes; though this has proven difficult due to the arduous process of divorce, setting up the house and seeking employment while preparing for and enjoying time with the children.
74. The more the Wife prepares for divorce, the more evidence of abuse she finds in her medical, police and CAS files.
75. Furthermore, the Husband continues to emotionally abuse the Wife even though she no longer lives in the matrimonial home.
76. The Husband removed the Wife's purse out of her car and was prepared to drive off with it if she hadn't demanded to search the car, where she found the purse.

77. The Husband had the police discharged when the Wife was borrowing bicycles and threatened to press charges.
78. The Husband continues to "play games" throughout divorce proceedings such as preparing Court materials that contain false statements and "alternative facts".
79. Nine months into proceedings, the Husband has provided only \$20,000 in combined support while refusing the Wife access to her half of the equity in their \$1,000,000 home or cash in their company AdvisorOnTrack Inc. which the Wife began in 2002.

The Wife's most hospitalization, as described in further detail below, has confirmed that the Wife suffers from psychosis non-otherwise specified (NOS) with a leaning toward schizo affective disorder.

In the Husband's material, he describes the circumstances surrounding each hospitalization in great detail and tries to depict the Wife as being unstable and uncooperative when it comes to her medical treatment. The Wife does not deny that she had delusional episodes which resulted in her being hospitalized. However, the Wife's position is that the Husband's materials do not accurately reflect the facts/issues surrounding the symptoms which led to periods of hospitalization in 2013, 2014 and the most recent one in October 2015.

It is these inaccurate statements that continue to be made by the Husband that the Wife feels were misinterpreted by her previous physicians who relied heavily on the Husband's account of the Wife's behaviour. The Wife believes that these inaccurate statements led to her initial improper diagnosis of Bipolar Disorder in 2013 and 2014.

The Wife acknowledges that she was not compliant with taking her prescribed medication following her release from hospital in 2013 and 2014. The reason for this was that she adamantly opposed the diagnosis of Bipolar disorder at the time. This was well documented in her medial file yet the nurses and doctors would not discuss the Wife's concerns with her. Instead, they insisted that the Wife take medication that was not doing anything to treat her delusions and was in fact making her feel worse.

It was for this reason that the Wife contemplated moving to Gatineau in 2014. She hoped that by establishing a residence in Quebec that she could seek a second opinion of her medical situation. The Wife put a down payment on first and last months' rent on a condominium in Gatineau in the fall of 2014 and took other steps to establish residency in Quebec. This also coincided with the Wife advising the Husband that she wanted a divorce in the summer of 2014.

In September 2014, the Husband pleaded with the Wife not to end their marriage. The Wife gave up her condominium in Gatineau and the parties focused on reconciling their relationship.

The Applicant was symptom free for approximately one (1) year. Then, on September 23, 2015, she came across some hospital notes in her medical file that summarized a telephone call placed by the Husband on July 10, 2014, describing her behaviour. The Wife was upset and shocked to see that the Husband had misrepresented various incidents. She confronted the Husband about these statements and explained that some of the incorrect statements which suggested she was experiencing manic and depressive periods were likely what led to her spending the entire summer of 2014 in hospital.

The Wife felt extremely betrayed and advised the Husband that their relationship was over. She asked the Husband to assist in correcting his inaccurate statements in her medical file as she explained that it was her belief that this contributed to her improper diagnosis. The Husband initially advised her that he would contact the hospital to correct his statements but then did not do so.

In the days that followed, the Wife began to experience delusional thoughts as the stress in the household continued to build and she became fearful of the Husband. By October 9, 2015, her delusional thoughts had increased and she was so fearful that she decided to take the children to the Hilton Hotel at the Lac Leamy Casino in Gatineau for 2 days as this was a place that she felt that she and the children could be safe given the high level of security onsite.

While the Wife was at the Hilton Hotel with the children, the Husband called her cell phone on numerous occasions and left threatening messages which only heightened her delusions. At one point, the Husband phoned the police and had officers come to the hotel room to check in on the children. The police left once they determined that the children were fine.

The following day, the Husband contacted the Wife again and was in a calmer state resulting in the Wife agreeing to return home with the children. As soon as she arrived at the home, the Husband became very hostile causing the Wife to fear that he was going to take the children from her which is why she blocked the Husband's vehicle from being able to exit their driveway. At that point, the Husband phoned the police who attended at the home to de-escalate the conflict. A referral was made to the Children's Aid Society.

That same evening, the Wife got into her vehicle and drove herself to the Civic Campus of the Ottawa Hospital. She remained in hospital from October 11, 2015 to November 12, 2015.

The Wife's Discharge Summary Report confirms that her current working diagnosis is Psychosis NOS (not otherwise specified) with a leaning toward schizoaffective disorder. Upon her release, the Wife was referred to the Psychiatry Outpatient Program for treatment. Her treating psychiatrist is now Dr. Mercer, whom the Wife has seen on three (3) occasions since December 2015. The Wife is to continue seeing Dr. Mercer every 4 to 6 weeks. After 3 follow up appointments with her psychiatrist, the Wife's diagnosis has now been revised to Psychosis NOS.

The Wife has been prescribed medication which she continues to take daily. The Wife's physicians recognize that her delusional episodes are triggered by heightened states of anxiety. The Wife recalls that before each instance where she was hospitalized, she and the Husband had been engaged in significant high stress periods, specifically:

- a. In 2013, the parties had a severe argument whereby the Husband was yelling/screaming at the Wife and implied that he would divorce her;
- b. In 2014, the parties had a series of arguments about several different topics including the household budget which resulted in the Husband accusing her of being manic;
- c. In 2015, the parties argued about notes that the Wife came across in her medical file that summarized a conversation between the Husband that provided inaccurate statements which she believes contributed to her mis-diagnosis.

Now that the Wife's physicians have been able to more accurately pinpoint the Wife's condition and triggers that led to her delusions, they have prescribed Latuda (anti-psychotic) which the Wife continues to take daily. They have also prescribed Clonazepam (anti-anxiety) and Immovalon (sleeping aid) to be taken when required.

As part of her treatment plan, the Wife's psychiatrist has also recommended that the Wife get back to exercising including attending yoga classes 3 times per week to assist her with managing her stress

levels.

The Wife has also obtained a referral to a social worker so that she can have access to regular counselling in between her appointments with Dr. Mercer.

Current Financial Hardship

80. An interim shared parenting agreement with a 2-2-3 split was signed on December 13, 2016 but there was no interim arrangement made for child or spousal support.
81. A corporate cheque for \$50,000 was co-signed for the Wife in January, but that was simply a reduction in her own savings and a significant portion was used for temporary lodging, delinquent mortgage payments by her "tenant"/"friend", car payments, lawyers and basic living expenses.
82. Almost eight months later, the Husband has provided \$15,000 in support; most of which has gone to the Canada Revenue Agency to cover personal income tax and property tax instalments.
83. In the Husband's Settlement Conference (held June 28, 2017) Brief, he claimed that he was paying the Wife \$15,000 per month and that she refused to look for work: both of these statements are 100% false.
84. Currently, the Wife is surviving financially by using her line of credit and high-interest credit cards.
85. Recently, during an exchange of the children, the Husband stole the Wife's purse out of her car. The Husband tried to leave with the children; but, daughter Cate insisted on returning to Baskin & Robbins to see if it was left there so the Husband had to wait in the parking lot. On the walk back to the parking lot, the Wife realized that it was likely the Husband who took her purse and asked to search the car. She found her purse in the hatchback/trunk on the top of a pile of the children's back packs and other items. (It was a large purse that the Wife had used for years and was hard to miss.)
86. On May 25, 2017, the Husband had the Ottawa Police discharged to the matrimonial home and threatened to press charges when he knew that the Wife was merely attempting to borrow the children's bicycles for the weekend. Even though she had moved out, the Husband's emotional abuse continued. The following day he put the bicycles outside so the Wife could borrow them for the weekend. To avoid future conflict, and reduce contact, the Wife decided to her buy own bicycles, helmets, etc. for the children.
87. As recently as July 8, 2017, the Husband has not provided further financial support even though the Wife is taking care of the children more than 50% of the time because she remains unemployed while the Husband continues to work.

Custody and Access:

88. The Husband is currently living in the matrimonial home at 1244 Lampman Crescent, Ottawa, Ontario, K2C 1P8 and the Wife is currently living a few blocks away at 7 Vanson Avenue, Ottawa, Ontario, K2E 6A9.
89. According to the children, they have already met a woman named "Sylvie" who, the Wife submits, is the Husband's girlfriend. Although the Wife is indifferent regarding girlfriends, she is concerned that immediate "replacement" of a "mother-figure" could be harmful for the children.

In spite of the Wife's updated diagnosis and her full cooperation in her treatment program, the Husband has continued to attempt to limit the Wife's interactions with the children.

The Husband initially took the position that the Wife was to have only supervised contact with the children. He refused to allow the Wife to spend any time alone with the children and refused to allow her to resume her regular parenting responsibilities such as transporting the children to/from school, taking them to activities, etc. The Husband claimed that this was necessary to protect the children from their mother and that he was acting on the advice of the Children's Aid Society ("CAS") when in fact the CAS attended at the home following the Wife's release from hospital in November 2015 and confirmed that there was no need for supervision.

In December 2015, the Husband finally agreed to allow the Wife to resume her parenting duties. However, his behaviour toward the Wife in the home has become increasingly inappropriate and hostile. This includes:

- a. Making inappropriate comments to the Wife in front of the children such that she is forced to leave the room to ensure that the children are not exposed to any further conflict;
- b. Constantly interrupting when the Wife spends time with the children and attempting to redirect the children's attention to himself;
- c. Making comments to the children about their mother in an attempt to portray her as strange or someone that they should be afraid of;
- d. Threatening to tape record conversations between himself and the Wife and threatening to telephone the police whenever she attempts to converse with him about issues pertaining to their separation including suggesting they participate in mediation.

The Wife has done her best to maintain a level of normalcy in the home for the children however this is becoming increasingly difficult. The children are young but they are perceptive. The Wife believes that the children would benefit from counselling to assist them in processing any concerns/emotions they may be feeling surrounding their parents separation. Counselling would also assist in helping the children to understand the issues that the Wife experienced with her mental health from a neutral third party.

The Wife has tried her best to work cooperatively with the Husband within the home for the sake of the children. However, it appears to the Wife that the Husband's focus has been on tainting the children's perception of their mother and making them feel that she is someone that they should be fearful of which is inappropriate and confusing to the children. The Wife has also come across an email exchange between the Husband and an individual at the Schizophrenia Society of Ontario wherein the Husband is seeking a referral for counselling for the children. In this email, the Husband indicates that it is very important for him that the children understand that the primary reason for their parents separation is the mother's illness and "nothing to do with their dad". The Wife is very concerned about the inappropriate messages that the Husband is relaying to the children about her.

Both parents have been actively involved in the care and upbringing of their children. The Husband himself has suffered from depression issues from time to time during the marriage. In spite of their health issues, both parties have remained committed and involved parents. Anything less than a shared parenting arrangement would be a significant departure from the status quo that the children experienced throughout the marriage.

90. The Wife's position is that it is in the best interests of the children that both parents maintain an equal

role in their lives and she is therefore seeking joint custody and a residential schedule that would allow the children to reside with their parents on a 2/2/3 schedule. It is her hope that she will be able to educate her children about various types of abuse so that they can recognize it and report it if necessary.

Child Support:

91. The Wife's position is that child support should be paid in accordance with the Federal Child Support Guidelines in an amount to be determined having regard to the parenting arrangements in place and the income of the parties. Section 7 expenses should be paid in proportion to the parties' incomes by the Applicant.
92. The Wife is requesting that the Husband be required to purchase a paid-up ~~obtain and maintain a~~ life insurance policy in an amount that is sufficient to cover his child support obligations for the children and that he designate her as the irrevocable beneficiary in trust for the children.

Spousal Support:

The parties are joint shareholders of a management consultant company, AdvisorOnTrack Inc. Throughout their marriage, they have both drawn equal amounts of dividends from this company which was the family's primary source of income.

93. Given the separation, it is unclear who will retain the business ~~what will happen with respect to this business and/or whether the parties will continue to~~ as they will not be running the business together.
94. It is the Wife's position that she is entitled to spousal support both on a needs and compensatory basis.
95. In the interim, Wife has requested an AOT shareholder loan in the amount of \$100,000 be co-signed in order to renovate her home to: install a bath tub, install a dishwasher, bring all electrical wiring up to code, replace antiquated plumbing, expand basement windows to eliminate the "fire escape" hazard; as well as purchase bedroom furniture for the children.
96. The Wife is also requesting interim support until the Husband provides meaningful spousal and child support. To date, he has refused to do so, despite his statement in #21 of his Form 8: Application that "The applicant is fully prepared to help the Respondent secure and maintain separate living accommodations."
97. The Wife is requesting that the Husband be required to purchase a paid-up life insurance policy in an amount that is sufficient to cover his spousal support obligations and that he designate her as the irrevocable beneficiary.
98. The parties jointly decided that the Wife would take on a less active role in the business by working part-time so that she could focus her primary responsibility on the care of the children.
99. As a result, the Husband has developed a larger client base and has had an increased opportunity to market himself and his skills in the Ottawa area.
100. The Wife will need an opportunity to transition back to full-time employment and will require spousal support to supplement her income. Furthermore, the notion that the Wife is severely mentally ill has been communicated to the Husband's friends, family and business associates as well as the Wife's former and potential future clients. For the past 30 months, it has been impossible for the Wife to retain

meaningful contracts or employment. As she has been having no success in her field, the Wife is exploring opportunities in the mental health field and hopes to generate some income by helping other victims of domestic violence. It is difficult to know at this point what type of income she will be able to earn in relation to the Husband's income.

Other Expenses

101. The Wife's position is that the Husband purchase a paid-up insurance policy on daughter Cate's right eye in the event that she should ever become legally blind.

Damages

102. The Wife's position is that she should be awarded compensation for damages from the intentional infliction of mental suffering and emotional distress.
103. The repercussions of the Wife's experience with domestic violence have been devastating:
- a. excluding her elderly parents, all of the Wife's extended family are now estranged
 - b. most of the friends that the Wife made as the children were growing up are gone
 - c. the lucrative contract that the Wife held for over 10 years as a Chartered Financial Analyst was discontinued
 - d. despite sending out over 100 resumes/applications and networking for the past two years, the Wife has not been able to secure a meaningful job or employment—in part, she submits, because Husband has told many people that she is severely mentally ill.
 - e. The Wife's medical, police and CAS files are so damaging that she cannot find a lawyer who will properly represent her during this divorce
 - f. Evidenced by his decision not to amend his application, the Husband continues to threaten to take sole custody of our children
 - g. The Wife is now managing the mental illness "Brief Psychotic Disorder" that was triggered by the Husband.

Equalization of Net Family Property:

104. The parties do not hold significant assets with the exception of the jointly held matrimonial home located at 1244 Lampman Cr. and their investments. These assets will have to be valued and equalized.
105. The Wife is prepared to agree to Husband purchasing her interest in the matrimonial home provided he is able to arrange to do so within a relatively short timeframe by the end of 2017. Otherwise, the home should be listed for sale as soon as possible so that the parties may access the significant equity in this property to purchase/renovate new residences for themselves and the children.
106. In November 2015, the Wife purchased a home located at 12-25 Bayswater Avenue, Ottawa, Ontario. The Wife did so to assist a "friend" who had defaulted on his mortgage. She purchased the home from the owner for an advantageous price. Her friend continues to live in the home and pays all expenses related to this property. When purchasing this home, the Wife used some of the parties' joint funds, specifically \$40,000 from a joint line of credit, to fund part of the down payment on this property. The Wife acknowledges that she is solely responsible for the \$40,000 and that there will have to be an

adjustment made to the equalization payment to reflect this.

107. Wife requests that the Equalization of Net Family Property calculation be adjusted for the amount in legal fees and excessive personal income tax that she had to pay in order to protect her right to parent her children following the bogus Emergency Custody Order that was served by Husband in November 2015.
108. Wife requests that the Equalization of Net Family Property calculation be adjusted for 50% of the amount that AOT had to pay in extra taxes and penalties due to the Canada Revenue Agency ("CRA") audit and their rejection of 2012 and 2013 expense claims.
109. Wife requests that the Equalization of Net Family Property calculation be adjusted for 100% of the amount that Wife had to pay in extra personal income taxes and penalties due to the CRA audit noted above.
110. The Wife requests that any and all dividends that were paid from AOT be returned by December 31, 2017. This amount should come from the net equalization payments on a 50-50 basis. It was always the intention that AOT savings be used during retirement due to the preferential tax treatment that dividend income receives.

Husband's Claim for Exclusive Possession of the Family Home/Police Enforcement:

111. The Wife has been transparent and forthcoming about her current medical diagnosis and treatment plan. She has provided the Husband with a copy of her discharge summary report that confirms her current diagnosis following her most recent hospitalization. She also provided the Husband with her treating psychiatrist's report and recommendation for treatment.
112. The Husband has made a claim for exclusive possession of the home, which is unnecessary in the circumstances. He has made regular threats to engage in emergency court proceedings to have the Wife removed from the property which is only adding to the conflict and stress in the home.
113. The parties continue to live separate and apart and follow an interim shared parenting agreement using a 2-2-3 split, in the matrimonial home. The Wife moved down to the basement and set up a room for herself there on September 23, 2015. In an effort to minimize her interaction with the Husband and any potential conflict, the Wife has recently begun sleeping at a friend's home in the evenings after the children go to bed. On Mondays, Wednesdays, and Fridays she makes sure to return to the home every morning by 6:30 a.m. so that she is present when the children wake up and available to engage in their care. On Tuesdays and Thursdays the Wife attends yoga classes as part of her therapy, however, she is home by 8:00 a.m. to take the children to school.

The Wife has attempted to fairly divide weekend time with the children by spending Saturday afternoon and Sunday morning with the children while the Husband spends Saturday morning and Sunday afternoon with them; however, the Husband often interferes with the Wife's parenting time.

The parties are joint tenants of the matrimonial home and are both entitled to occupy this property. The Wife acknowledges that she suffers from mental health issues and she is receiving treatment for same. Her struggles with mental health over the past 3 years in no way justify her removal from the property.

114. Similarly, the The Husband's request for police enforcement of any access arrangements determined by the Court is also unnecessary. The Wife's reasons for taking the children to the Hilton Lac Leamy Hotel in Gatineau are described above; she was trying to protect them. This was an isolated

occurrence: The Wife is not a flight risk and in no way poses a risk to the children.

115. The Wife is prepared to consent to an order that provides that neither party can permanently remove the children from the City of Ottawa without the written consent of the other parent or Court Order.

Disclosure & Police Enforceability Clause

116. Wife requests a Restraining Order which prevents Husband from being within 500 metres of Wife's property as well as preventing him from contacting her for any reasons other than; the well-being of the children, matters relating to this Separation/Divorce or the operation of AdvisorOnTrack Inc. (while it remains jointly-owned). It is possible that Wife may require police assistance in enforcing any Restraining Order made by this Court or agreed to by the parties.

Put a line through any blank space left on this page

Date of signature

Respondent's signature

LAWYER'S CERTIFICATE

For divorce cases only

My name is: Tania Pompilio

and I am the lawyer for (name) Deirdre Ann Moore

in this divorce case. I certify that I have complied with the requirements of section 9 of the *Divorce Act*.

Date of signature

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



1. I agree with the following claim(s) made by the applicant:

Under the Divorce Act

- 00 ☐ a divorce
01 ☐ support for me
02 ☐ support for child(ren) – table amount
03 ☐ support for child(ren) – other than table amount
04 ☐ custody of child(ren)
05 ☐ access to child(ren)

Family Law Act or Children's Law Reform Act

- 10 ☐ support for me
11 ☐ support for child(ren) – table amount
12 ☐ support for child(ren) – other than table amount
13 ☐ custody of child(ren)
14 ☐ access to child(ren)
15 ☐ restraining/non-harassment order
16 ☐ indexing spousal support
17 ☐ declaration of parentage
18 ☐ guardianship over child's property

Claims relating to property

- 20 ☒ equalization of net family properties
21 ☒ exclusive possession of matrimonial home
22 ☐ exclusive possession of contents of matrimonial home
23 ☐ freezing assets
24 ☐ sale of family property

Other claims

- 30 ☐ costs
31 ☐ annulment of marriage
32 ☐ prejudgment interest
33 ☐ claims relating to a family arbitration

Claims relating to child protection

- 40 ☐ access
41 ☐ lesser protection order
42 ☐ return of child(ren) to my care
43 ☐ place child(ren) into care of (name)
44 ☐ children's aid society wardship
45 ☐ society supervision of my child(ren)

50 ☐ other

2. I do NOT agree with the following claims made by the applicant:

Under the Divorce Act

- 00 ☐ a divorce
01 ☐ support for me
02 ☐ support for child(ren) – table amount
03 ☐ support for child(ren) – other than table amount
04 ☐ custody of child(ren)
05 ☐ access to child(ren)

Family Law Act or Children's Law Reform Act

- 10 ☐ support for me
11 ☒ support for child(ren) – table amount
12 ☐ support for child(ren) – other than table amount
13 ☒ custody of child(ren)
14 ☒ access to child(ren)
15 ☐ restraining/non-harassment order
16 ☐ indexing spousal support
17 ☐ declaration of parentage
18 ☐ guardianship over child's property

Claims relating to property

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21 ☐ exclusive possession of matrimonial home
22 ☐ exclusive possession of contents of matrimonial home
23 ☐ freezing assets
24 ☐ sale of family property

Other claims

- 30 ☒ costs
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33 ☐ claims relating to a family arbitration

Claims relating to child protection

- 40 ☐ access
41 ☐ lesser protection order
42 ☐ return of child(ren) to my care
43 ☐ place child(ren) into care of (name)
44 ☐ children's aid society wardship
45 ☐ society supervision of my child(ren)

50 ☒ Other: police enforceability

FAMILY HISTORY**APPLICANT:**

Name: Jonathan William Kiska Age: 56 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 before? ☒ No ☐ Yes (Place and date of previous divorce)

RESPONDENT/JOINT APPLICANT:

Name: Deirdre Ann Moore Age: 51 Birthdate: (d, m, y) September 28, 1965
Resident in (municipality & province) Ottawa, Province of Ontario
since (date) 1965
Surname at birth: Moore
Surname just before marriage: Moore
Divorced before? ☒ No ☐ Yes (Place and date of previous divorce)

RELATIONSHIP DATES:

☒ Married on (date) July 22, 2000 ☒ Started living together on (date) Early 1997
☒ Separated on (date) November 27, 2016 ☐ 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	Resident in (municipality & province)	Now Living with (name of person and relationship to child)
Sean Charles Kiska	<u>11</u>	<u>May 8, 2006</u>	<u>Ottawa, Ontario</u>	<u>Both parents</u>
Cate Stella Kiska	<u>9</u>	<u>November 30, 2007</u>	<u>Ottawa, Ontario</u>	<u>Both parents</u>