

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 14: Notice of Motion

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: 613-261-3520 deirdre_cfa@icloud.com

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

n/a

FILED SUPERIOR COURT OF JUSTICE AT OTTAWA

MAY 03 2018 Dk

DÉPOSÉ À LA COUR SUPÉRIEURE DE JUSTICE À OTTAWA

The person making this motion or the person's lawyer must contact the clerk of the court by telephone or otherwise to choose a time and date when the court could hear this motion.

TO THE PARTIES:

THE COURT WILL HEAR A MOTION on (date)

at 2:00 p.m., or as soon as possible after that time, at (place of hearing)

161 Elgin Street, Ottawa, Ontario K2P 2K1

This motion will be made by (name of person making the motion) **Deirdre Moore** who will be asking the court for an order for the item(s) listed on page 2 of this notice.

- ☒ A copy of the affidavit(s) in support of this motion is/are served with this notice.
☐ A notice of a case conference is served with this notice to change an order.

If this material is missing, you should talk to the court office immediately.

The person making this motion is also relying on the following documents in the continuing record: (List documents.)

Volume 7 plus other documents to be listed in 14C.

If you want to oppose this motion or to give your own views, you should talk to your own lawyer and prepare your own affidavit, serve it on all other parties not later than 4 days before the date above and file it at the court office not later 2 days before that date. Only written and affidavit evidence will be allowed at a motion unless the court gives permission for oral testimony. You may bring your lawyer to the motion.

IF YOU DO NOT COME TO THE MOTION, THE COURT MAY MAKE AN ORDER WITHOUT YOU AND ENFORCE IT AGAINST YOU.

April 30, 2018

Date of signature

Deirdre Moore

Signature of person making this motion or of person's lawyer

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

Typed or printed name of person or of person's lawyer, address for service, telephone & fax numbers and e-mail address (if any)

NOTE TO PERSON MAKING THIS MOTION: You MUST file a confirmation (Form 14C) not later than 2:00 p.m. 2 days before the date set out above.

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 notice 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 costs against you.

State the order or orders requested on this motion.

1. An order for interim support back-dated to January 1, 2017 and the sharing of children's expenses in a proportion that the Court deems fair and just.
2. An order for leave to bring a Motion that the Applicant's pleadings and financial statements be struck.
3. An order for leave to bring a Motion for the right of first refusal to be granted to the Respondent—but not to the Applicant—with respect to childcare under the current interim shared parenting agreement.
4. An order for leave to bring a Motion for the freezing of the Applicant's RRSP and other assets.
5. An order for leave to bring a Motion that a lien be placed on the Applicant's portion of the proceeds from the sale of the matrimonial home, should it be sold, and placed in trust until the end of trial and the awarding of damages, if any, and costs is complete.
6. An order for leave to bring a Motion that a trial date be set or, in the alternative, any order that would expedite the setting of a trial date.
7. An order for leave to bring some or all of these Motions as one.
8. An order for costs of this Motion and the previous Motion held on March 22, 2018 be awarded to the Respondent.
9. An order for costs due to the Bad Faith exhibited, thus far, by the Applicant to be granted to the Respondent or, in the alternative, leave to bring a Motion for same.
10. An order that the Applicant serve to the Respondent and file in the Continuing Record all orders that have been endorsed to date.
11. An order for any penalty that the Court deems fit for the Applicant's failure to provide a copy of his 2016 Income Tax Return to the Respondent, as already ordered by Madam Justice Engelking on January 26, 2018.
12. Any other orders that the Court deems fit.

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 6B: Affidavit of Service
sworn/affirmed

Interim Support

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

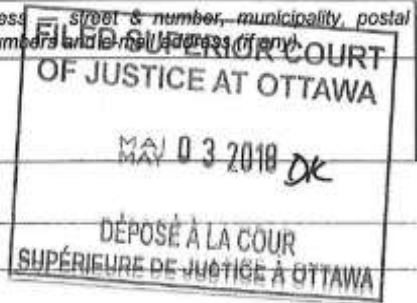
Respondent(s)

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: 613-261-3520 deirdre_cfa@icloud.com

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

n/a



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) April 30, 2018, at (time) 1:11 p.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.
Notice of Motion - Interim Support	Deirdre Moore	April 30, 2018
Affidavit - Interim Support	Deirdre Moore	April 30, 2018
Updated Table of Contents	Deirdre Moore	April 30, 2018
Partial ym		

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 Lisgar Street, Ottawa, Ontario K2P 0C2

by: ☐ leaving a copy with the person.

☒ leaving a copy with (name) Elizabeth Vaughn

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) 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.

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

☐ 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.

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

☐ 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.

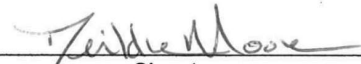
13. To serve the document(s), I had to travel 9 kilometres. My fee for service of the document(s) is \$ 125.00 including travel.

Sworn/Affirmed before me at Ottawa
municipality

in Ontario
province, state, or country

on May 1st 2018
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.)

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 6B: Affidavit of Service
sworn/affirmed

Interim Support

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: 613-261-3520 deirdre_cfa@icloud.com

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

n/a

FILED SUPERIOR COURT
OF JUSTICE AT OTTAWA

MAY 03 2018 DK

DÉPOSÉ À LA COUR
SUPÉRIEURE DE JUSTICE À 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) May 1, 2018, at (time) 9:42 Am, 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.
Notice of Motion - Interim Support	Deirdre Moore	April 30, 2018
Affidavit - Interim Support	Deirdre Moore	April 30, 2018
Updated Table of Contents	Deirdre Moore	April 30, 2018

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 Lisgar Street, Ottawa, Ontario K2P 0C2

by: ☐ leaving a copy with the person.

☒ leaving a copy with (name) Christopher Hammond

☐ 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) assistant to Wade Smith

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.

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 \$ 125.00 including travel.

Sworn/Affirmed before me at Ottawa

municipality

in Ontario

province, state, or country

on May 3, 2018

date

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

(Dina Kilrea)

(Signature)
Signature

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