

deirdre_cfa@icloud.com

From: Christine Hammond <CHammond@bellbaker.com>
Sent: April 12, 2018 3:27 PM
To: deirdre_cfa@icloud.com
Cc: Wade Smith; jonathankiska@gmail.com
Subject: Kiska and Moore
Attachments: 4954_001.pdf; FRO CLAUSE & POST-JUDGMENT INTEREST CLAUSE.doc

Ms. Moore,

We are in receipt of your draft Order from the Motion held March 22, 2018. It is attached with some amendments made to it in pen. Please re-submit the draft Order for Mr. Smith's approval as to form and content.

We are also attaching the FRO clause and Interest Clause that should be inserted at paragraphs 7 and 8 just in case you do not have these. The Court Clerk will insert the interest percentage when the Order is issued.

Yours truly,

BELL BAKER LLP

Christine Hammond,

Christine Hammond, Assistant to
Wade L. Smith
Telephone: 613-237-3444 (extension 308)
Facsimile: 613-237-1413

This Exhibit ' Q ' referred to in the
Affidavit of Deirdre Moore,
sworn before me at the City of Ottawa, this
.....17..... day of April, 20 18.
Sylvia J. Ford
A Commissioner for taking affidavits

This message may contain confidential information. Any right of privilege which may exist has not been waived

From: Scanner
Sent: Thursday, April 12, 2018 3:21 PM
To: Christine Hammond
Subject: Attached Image

○ # 7

Unless the Support Order is withdrawn from the Office of the Director, Family Responsibility Office, it shall be enforced by the Director and amounts owing under the Support Order shall be paid to the Director, who shall pay them to the person to whom they are owed.

8

This Order bears post-judgment interest at the rate of per cent per annum effective from the date of this Order. Where there is a default in payment, the payment in default shall bear interest only from the date of default.



ONTARIO
Superior Court of Justice Family Court Branch
 (Name of Court)

Court File Number
FC-15-2446-0

at **161 Elgin Street, Ottawa, Ontario**
 (Court office address)

Form 25: Order (General)

☒ Temporary
☐ Final

Applicant(s)

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

Jonathan William Kiska
1244 Lampman Cr
Ottawa, ON K2C 1P8

~~613-723-0010-~~
jonathankiska@gmail.com

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

Wade L. Smith
Bell Baker LLP
Barristers and Solicitors
#700-116 Lisgar Street
Ottawa, ON K2P 0C2
Tel: 613-237-3444
Fax: 613-237-1413 BOX #35
wsmith@bellbaker.com

The Honourable
Madam Justice Audet
 Judge

March 22nd, 2018
 Date of order

Respondent(s)

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

Deirdre Moore
7 Vanson Avenue
Ottawa, ON K2E 6A9

613-261-3520 Deirdre_CFA@iCloud.com

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

n/a

The court heard an application/motion made by Deirdre Moore

The Respondent

The following persons were in court (names of parties and lawyers in court)

~~Wade L. Smith, counsel for~~ the Applicant, Jonathan Kiska *and his counsel, Wade L. Smith*
 The Respondent, Deirdre Moore

The court received evidence and heard submissions on behalf of ~~Deirdre Moore and Jonathan Kiska~~

The Parties

FOR ORAL REASONS GIVEN**THE COURT ORDERS THAT:**

1. On a without prejudice/temporary basis, the father shall pay monthly child support to the wife for the 2 children of the marriage in the amount of \$1,924. This is based on the father's "other taxable income" of \$137,000 and the mother's "other taxable income" of \$50,000 + imputed employment income of \$30,000 (for a total of \$80,000).
2. The parties are both in receipt of dividend income ("other taxable income") from their joint company. The nature and tax treatment of those dividends is unknown to me as I do not have

the parties' Income Tax Returns before me. Should those show that proper identification of that income in the support calculation would materially affect the outcome, the matter may be brought back before me based on relevant evidence.

2. The parties shall share the children's Section 7 expenses: 60% for the father and 40% for the mother.
3. The mother is given leave to bring a motion for the sale of the matrimonial home, but only after the Office of the Children's Lawyer has made its recommendations known.
4. On a without prejudice basis, the mother's claim for temporary spousal support is denied.
5. On the issue of costs, and in light of the father's offer to settle, which was more beneficial to the mother than the result achieved in this motion, I find that the father is entitled to \$2,000 in costs. The outcome, however, might very well be different when the nature/tax treatment of the dividends is known. Therefore, I will give the parties, or either one of them, 30 days within which to submit to me, if they wish, further written submissions not exceeding 2 pages, in addition to brief affidavits providing me with the additional evidence confirming the nature/tax treatment of the dividends, and I will then make a final decision on the issue of temporary support. My decision regarding costs may vary depending on ^{that} the. If no additional submissions are provided to me within 30 days, my cost award will stand and it shall be repaid by the mother at the rate of \$200/month.

6. Pro Clause
7. Interest Clause

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

Date of signature

Signature of judge or clerk of the court