

Superior Court of Justice Family Court Branch

(Name of court)

at 161 Elgin Street, Ottawa, Ontario K2P 2K1

Court office address

Court File Number
FC-15-2446-0

Form 14A: Affidavit

Reply

(general) dated

August 30/18

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:

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.

1. I am the Respondent in this proceeding and as such have knowledge of the matters set out in this my Reply.
2. I have no legal training. I have paid more than \$45,000 in legal fees to get away from the Applicant, Jonathan William Kiska. They have not helped me: they have "helped" him. (see my Affidavit filed in Volume 8, Tab 3, Exhibit D).
3. Most of the Affidavit submitted/served by the Applicant ("Kiska") is written in a style which is typical of their materials and explained viz an excellent example in my Factum for this Motion in attachment C page 3.

4. Kiska's Affidavit para 2 is false.
 5. Volume 8 includes (or included as filed) complete ITRS as well as NOAS for 2015, 2016 and 2017. (See Vol 8, Tab 1) I have included 2017's here again in exhibit A.
 6. The reason Tab 8 Vol 1 was filed is due to fact that Kiska's lawyer, Wade Smith of Bell Baker LLP, ("Smith") repeatedly stated to the Court that he had never received any of my ITRS — when he had.
 7. Volume 8, Tab 3 (the Affidavit for this Motion) includes another copy of my 2017 ITR and NOA.
 8. Contrary to Kiska's Affidavit para 2, I included no ITR in my Factum.
 9. Kiska's Affidavit para 3 is meaningless:
One quick glance at an Income Tax Return form would tell you that:
 - you need to report ALL dividends at line 120
 - you need to report the "other than eligible" dividends at line 180
-
10. Kiska's Affidavit para 4 is equally meaningless
 11. Kiska's own Affidavit exhibit A page 4 confirms my paras #9 and #10 above

12. Kiska's para 5 claims that true copies of his ITR^s are filed at exhibit A, B, C but they are incomplete. No where is the Federal Tax Schedule or the other Schedules that indicate how the dividends were treated.

13. Kiska's para 6? He very clearly stated that his dividends were eligible. As recorded in the transcript, your Honour asked Kiska's lawyer ("Smith") and both clearly stated that the dividends were eligible. They did not state "we are not sure".

14. I have already spoken to Kiska's Affidavit para 7: it is utter non-sense. (see para 9 above in this Reply)

15. There is no evidence of Kiska's Affidavit para 8: it is just another Kiska statement.

16. There is no evidence of any "advise" or "review" by anyone named in Kiska's Affidavit para 9. It is just another Kiska statement.

17. Kiska's Affidavit para 9 and "supporting exhibits" D and E have no supporting evidence — similar to his Application and all of his presentations and submissions to the Court (that have been facilitated by Smith).

18. Kiska's Affidavit para 10 is true — although I was initially told that I would have to use the FRO to get any support payments.
 19. Kiska's Affidavit para 11 is true; however, Kiska need not bring a Motion for me to disclose my medical files: I would easily consent.
 20. I intend to use my medical files at trial as evidence regarding Criminal Defamation, Defamation, Intentional Infliction of Emotional Suffering, Negligent Infliction of Emotional Suffering, Parental Alienation and other violations of Civil Law and the Criminal Code of Canada — all damages which Justice Summers has granted permission for me to seek because "[my Motion documents] were rife with evidence".
-
21. If Kiska undergoes an extensive psychological assessment (as agreed upon by me) then I will gladly release my medical files on consent. There would be no need for a Motion.

27. Kiska's Affidavit para 15 is not inconsistent with his usual "plea for help".

28. However,

-I am self-represented because I have no choice.

-The level of Kiska's legal fees are proportionate only to the degree in which he continues to ... "go for the jugular".

(see my Affidavit, Exhibit A, page 1)

29. Kiska's Affidavit contains no evidence of how his dividends were taxed in 2017.

30. Kiska's Affidavit contains no evidence that there was a 2018 dividend

31. Further evidence that only a 2018 shareholder was discussed is at exhibit C

Put a line through any blank space left on this page. 32. His Affidavit served yesterday is at ^{TAB} D

Sworn/Affirmed before me at City of Ottawa

municipality

in Ontario

province, state, or country

on

August 30/18

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.)

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

August 30, 2018

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

AOUT
AUG 30 2018 ML

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:

DÉPOSÉ À LA COUR
SUPÉRIEURE DE JUSTICE À OTTAWA

1. On (date) August 30, 2018, at (time) 10:44 a.m., I served (name of person to be served) Wade Smith of BellBaker with the following document(s) in this case:

Name of document

Author (if applicable)

Date when document
signed, issued, sworn, etc.

List the
documents
served

Reply
Updated 14 c
Updated TOC

Deirdre Moore
" "
" "

August 30, 2018
" "
" "

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) Christine Vauger

☐ 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.

☐ 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.

☐ 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 \$ 0 including travel.

Sworn/Affirmed before me at Ottawa
municipality

in Ontario
province, state, or country

on Aug 30 2018
date

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

M La France

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