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September 17, 2018
Delivered by Email and Regular Mail

Deirdre Moore

7 Vanson Avenue
Ottawa, Ontario
K2E 6A9

Dear Ms. Moore:

Re: Kiska and Moore

Enclosed herein please find a draft of the Temporary Order of the Honourable Madam Justice Audet from the Motion heard September 7, 2018, for your approval as to form and content, together with a Consent to the Temporary Order for your signature and return.

Yours truly,

BELL BAKER LLP

Wade L. Smith

WLS/ch

Encl.

c.c. Jonathan Kiska

James R. McNinch
Roger R. Mills
Wade L. Smith
Patricia A. Lawson
Matthew D. Frye

Geoffrey A. Howard
Helmut R. Brodmann
James D. Wilson
John E. Summers

Martin D. Owens
Cheryl L. Hess
James F. Leal
Mélanie H. Levesque
Laura A. Hunt

Counsel: Paul A. Webber, Q.C.,
John C. Clarke, Q.C. (Ret'd), David C. Thompson, Q.C. (Ret'd)



ONTARIO
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 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, Ontario
K2C 1P8

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

Wade L. Smith
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The Honourable

Madam Justice Audet

Judge (Print or type name)

March 22, 2018

May 1, 2018

May 17, 2018 and

September 7, 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, Ontario
K2E 6A9
Tel: 613-261-3520

deirdre_cfa@icloud.com

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

DRAFT

The court heard an application/motion made by (name of person or persons)

The Respondent, Deirdre Moore

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

The Applicant, Jonathan William Kiska, and his counsel, Wade L. Smith

The Respondent, Deirdre Moore, self-represented.

The court received evidence and heard submissions on behalf of (name or names)

The parties

THIS COURT ORDERS THAT:

1. Based on the Applicant's 2017 income of \$98,750.00 (comprising of employment income of \$1,250.00 and taxable dividend (eligible) income of \$134,550, adjusted for tax purposes) and Ms. Moore's 2017 income of \$73,103 (comprising of an imputed employment income of \$30,000.00 and taxable (non-eligible dividends of \$50,000.00 as adjusted for taxes), as well as the parties' shared parenting regime, the child support payable by the Applicant to the Respondent for the two children is \$1,456.00 per month and the child support payable by the Respondent to the Applicant for the two children is \$1,111.00 resulting in a set-off amount payable by the Applicant to the Respondent of \$345.00 per month. This shall be paid retroactively to April 1, 2018.

2. Based on paragraph 1 hereof, the *Spousal Support Advisory Guidelines* suggest spousal support in the amount of \$0 (low range), \$371.00 (mid-range) or \$1,230.00 (high range). The high range leaves each party with 50% of the combined net disposable income and, given the equal timesharing arrangements between them, the Applicant shall pay to the Respondent spousal support in the amount of \$1,230.00 per month, retroactive to April 1, 2018.
3. As of April 1, 2018, each party shall assume 50% of the net costs of s.7 expenses incurred for the children.
4. The Applicant has paid \$1,924.00 per month in accordance with my March 22, 2018 Endorsement from April 1, 2018 to and including September 1, 2018, and these payments shall be credited to him towards the child and spousal support payable.
5. The costs award made on the March 22, 2018, Motion of \$2,000.00, payable by the Respondent to the Applicant, stands and it shall be repaid by the Respondent, mother, at the rate of \$200.00 per month.
6. Neither party shall bring any further Motion in this case, procedural or otherwise, except for a Motion to force the sale of the matrimonial home (by the Respondent) or for the disclosure of medical records (by the Applicant), unless they have first sought leave from me to do so by filing a 14B motion form, directed to my attention, and copied to the other party. Unless I have given leave to ring a specific Motion, no Motion shall be brought by either party until the trial of this matter.
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.

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

Date of signature

APPROVED AS TO FORM AND CONTENT
THIS DAY OF SEPTEMBER, 2018.

Deirdre Moore, Respondent

Signature of judge or clerk of the court

Approved as to form and content

this 17th day of September, 2018

Per:

Wade L. Smith
BELL BAKER LLP

ONTARIO

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)

Applicant(s)

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

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

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

Wade L. Smith
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Respondent(s)

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

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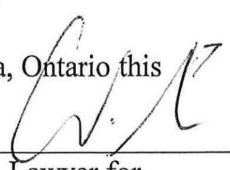
Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

deirdre_cfa@icloud.com

CONSENT

The Applicant and Respondent hereby consent to the issuing and entering of a Temporary Order in the form attached hereto.

Dated at Ottawa, Ontario this 17 day of September, 2018.



Wade L. Smith, Lawyer for
Jonathan William Kiska, Applicant

Dated at Ottawa, Ontario this _____ day of September, 2018.

Deirdre Moore, Respondent