

ONTARIO

Court File Number
FC-15-2446-0

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

at 161 Elgin Street, Ottawa, Ontario K2P 2K1
Court office address

Form 14A: Affidavit

Factum (general) dated
August 29, 2018
(updated)

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. Please find attached my (moving party) Factum for the Motion of which I am most grateful — a continuation of the March 22, 2018 hearing when the Applicant misled the Court to avoid paying spousal support.

2. This Factum contains the following ~~exhibits~~ attachments

Tab A: Evidence that my technology remains hacked

Tab B: Aug 27/18 email to Ottawa Police, Eastern Ottawa Resource Centre and Dr. Jackson pleading for help

Tab C: Aug 27/18 email to lawyer ("Smith") of Applicant ("Kiska") re: false statements/allegations

Tab C → ps: regarding value of the matrimonial home.
Tab D: Aug 28/18 email from Kiska regarding his "solution" to the fact that I, the Respondent, ("Moore") had to list my home for sale.

The Issues

3. Kiska and Smith do not provide wholly truthful information to the Court.
4. Moore continues to endure what Ottawa Police Victim Services Unit has described as torture.

Outline of the Facts

5. Through Smith, Kiska repeatedly provides false information to the Court.
6. Kiska's allegations are devoid of relevant evidence and will easily be proven false at trial (which is why he is delaying trial as long as possible).
7. The Court's decision to award \$0 in spousal support was based on Smith's "oral reasons given" which, like all of Smith's materials, are not reflective of the truth.

The Law

8. Rule 2.1.01(1) of the Rules of Civil Procedure permit the Court to stay or dismiss a proceeding if it is an abuse of process.
9. In *Purcaru v. Purcaru*, 2010 ONCA 92, severe sanctions were imposed and upheld due to the unusual circumstances of the case. (see Tab E, page 1, para. 4)

Orders Requested

10. I am grateful for the existence of the OCL, their thorough investigation and review of the evidence contained in the C.R. and their recommendation that sole custody be awarded to me.

11. I respectfully request the following orders:

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.

Sworn/Affirmed before me at City of Ottawa municipality

in Ontario province, state, or country

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

August 29, 2018

[Signature]
Signature

(This form is to be signed in from
lawyer, justice of the peace, notary
or commissioner for taking affidavits)