

9:30

NO. ON LIST: 1

SUPERIOR COURT OF JUSTICE

DATE: TUES. JAN. 16th - 18

COURT FILE NO: 14-8V-513935
SHORT TITLE:

2283942 Ont. Inc. vs. SHIL KULAN LOYSON'S LTD

ETAL COUNSEL SHEET FOR REGULAR MOTIONS (CIVIL)

ETAL

MOVING COUNSEL

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TELEPHONE:
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RESPONDING COUNSEL

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Counsel for
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APPEARING FOR

- PLAINTIFF/PETITIONER/APPLICANT
- DEFENDANT/RESPONDENT
- OTHER--SPECIFY

APPEARING FOR

- PLAINTIFF/PETITIONER/APPLICANT for Hugh Herman
- DEFENDANT/RESPONDENT Evans
- OTHER--SPECIFY

TYPE OF MOTION (CHECK ONE ONLY)

- CONTEMPT
- DECLARATION
- DISMISS ACTION
- INJUNCTION
- JUDGEMENT
- ORDER TO GO
- STAY PROCEEDINGS
- VEXATIOUS PROCEEDINGS
- EXPEDITE TRIAL
- A. G. MATTER
- ATTEND EXAMINATION
- APPEAL MASTER
- OTHER
- SUMMARY JUDGEMENT MOTION

416-363-335
416-363-0352
hgosea@qcyllaw.com

**LENGTH OF MOTION/APPLICATION:

**RULE:

NATURE OF MOTION (CHECK ONE ONLY)

- CONTESTED
- UNOPPOSED
- ON CONSENT
- WITHOUT NOTICE

THE HONOURABLE J. JUSTICE SACHIDRA

Court File Number: CV-14-515935

Ontario
Superior Court of Justice

DIRECTION/ORDER/ENDORSEMENT

2283942 ONTARIO INC.

Plaintiff(s)

AND

SHIU KWAN LO AND SONS LTD., 2433591 ONTARIO INC.
2435982 ONTARIO INC. and HERMAN KUANG. Defendant(s)

Case Conference (Rules 50.13, 77.04) Yes No Telephone Conference (Rule 1.08) Yes No

Pre-Trial Conference (Rule 50.7) Yes No

Date:

Counsel	Email Address/Telephone Number
Mr. B. Sachdeva, counsel for Plaintiff	
Mr. B. Giesse, counsel for Herman Kuang	
Mr. D. Kotlars, counsel for 2433591 Ontario Inc.	
Ms. O. Kahane-Rapport, counsel for 2435982 Ontario Inc.	

Order Endorsement Direction for Registrar

This matter was referred by Akbarali, J. for a chambers appointment today, further to the parties' attendance at Civil Practice Court on November 24, 2017.

The Plaintiff seeks to schedule a motion for summary judgment. This is emphatically opposed by all defendants on the basis that this motion, and the counterclaim, present too many issues that are too complex for summary determination. They submit that there are too many genuine issues for trial that are incapable

of determination using the thruick principles.

Also, there is a motion pending for security for costs and proposed motions for placing amendment and a second motion by a further defendant for security for costs.

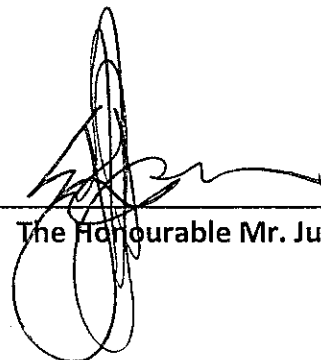
This is a 2014 action that was denied assignment to the Commercial list. The Plaintiff seeks an avenue to advance this case efficiently and expeditiously.

On the material before me, and submissions received, I have some doubt that a summary judgment motion is an appropriate procedure to determine the numerous issues raised by this case. I have no doubt, however, that this case would benefit from case management, wherein the multiple motions can be addressed and the Plaintiff's efforts to advance this case, perhaps through expedited trial or a procedural timetable, can be addressed.

Mr. Sachdeva will make a request, under the Rules, for this action to be placed into case management with the appointment of a case management judge. The counsel for the defendants all submitted that they will not oppose this request for case management. No summary judgment motion will be scheduled today, but Mr. Sachdeva can renew this request to the

Judge's Endorsement Continued

Case management judge, should the request for case management be approved, or in a federal civil practice court, should the development of this option render this advisable. at some later date.



The Honourable Mr. Justice Sanfilippo