

Joanne St. Lewis

- and - Denis Rancourt

Plaintiff

Defendant

Court File No. 11-51657

October 7, 2011: C. MCKINNON, J.

It should have been patently obvious to Mr. Rancourt that to serve an appointment to discover the plaintiff in the face of a motion to the court seeking a mandatory mediation without holding discoveries would have the effect of totally frustrating the potential merit of that motion.

This motion to strike the notice of examination is allowed. The notice of examination is struck. *Ad.*

Rancourt is free to argue the merit of having discovery during the hearing of the main motion on November 15, 2011.

FILED SUPERIOR COURT  
OF JUSTICE AT OTTAWA

OCT 04 2011

DÉPOSÉ À LA COUR  
SUPÉRIEURE DE JUSTICE À OTTAWA

**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**  
**PROCEEDING COMMENCED AT**  
**OTTAWA**

**MOTION RECORD OF THE PLAINTIFF**  
**STRIKING OUT/SETTING ASIDE NOTICE OF**  
**EXAMINATION FOR DISCOVERY**

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**Richard G. Dearden (LSUC #019087H)**

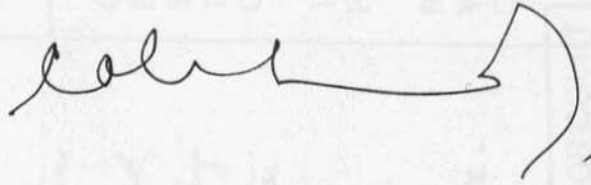
**Wendy J. Wagner (LSUC#46380Q)**

Counsel for the Plaintiff

With respect to costs of this motion and the contested argument

(SEE INSIDE)

that is the subject of my endorsement on the  
back of the main motion record, it is clear  
that the adjournment should have been consented  
to, and also that the notice of examination  
of Joanne St. Denis be withdrawn. The plaintiff  
should not have been required to attend court  
with counsel today. Costs are fixed in the  
sum of \$2000.00, inclusive of GST and disbursements,  
and are payable forthwith, in any event of  
the cause.



FILED SUPERIOR COURT OF JUSTICE  
12/1/2011