

MASTER  
CALUM MACLEOD



M. LE PROTONOTAIRE  
CALUM MACLEOD

*Oct 14, 2011*

*I have settled & signed the form of the  
order of October 6, 2011. The defendant has  
until Nov. 17 to pay the costs unless otherwise  
ordered by the judge hearing the main motion*

  
MASTER C. MACLEOD

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

MASTER MACLEOD

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)

Thursday THE 6<sup>th</sup> DAY  
OF OCTOBER, 2011

BETWEEN:

**JOANNE ST. LEWIS**

Plaintiff

- and -

**DENIS RANCOURT**

Defendant

**ORDER**

**THIS MOTION**, made by the Plaintiff, for an Order compelling the Defendant, Denis Rancourt, to answer the questions that were taken under advisement or refused during the cross-examination on his affidavits sworn August 25 and 26, 2011, and for an Order compelling Claude Lamontagne to provide answers to questions that were taken under advisement, refused or subject to his undertakings during the cross-examination on his affidavit sworn August 25, 2011, was heard on October 6, 2011, at the Ottawa Courthouse, 161 Elgin Street, Ottawa Ontario.

**ON READING** of the Motion Records filed by the Plaintiff and the Defendant, and on hearing the submissions of counsel for the Plaintiff and the submissions of the Defendant, Denis Rancourt, appearing in person,

1. **THIS COURT ORDERS** that the Defendant answer refusal numbers 1, 2, 3, 4, 5, 6, 7,

8, 9, 14 and 15 as indicated in the Refusals and Undertakings Chart (Denis Rancourt) attached as Schedule "A" to this Order.

2. **THIS COURT ORDERS** that the Defendant shall pay costs to the Plaintiff in the amount of \$3,000.00 payable ~~within 30 days of the Reasons for Decision rendered on October 6, 2011.~~ ✓ *on or before November 17<sup>th</sup>, 2011 unless otherwise ordered by the judge hearing the main motion - Jm*
3. **THIS COURT ORDERS** that Claude Lamontagne answer refusal number 1 and undertaking numbers 1 and 2 as indicated in the Refusals and Undertakings Chart (Claude Lamontagne) attached as Schedule "B" to this Order.
4. **THIS COURT ORDERS** that Claude Lamontagne shall pay costs to the Plaintiff in the amount of \$350.00 payable forthwith.
5. **THIS COURT ORDERS** that all questions that call for the production of documents or copies of documents be answered in writing by October 11, 2011.
6. **THIS COURT ORDERS** that the Defendant and Claude Lamontagne are required to reattend on October 14, 2011, unless otherwise agreed to by the parties, at a place and time designated by counsel for the Plaintiff, to answer the questions under oath and to answer reasonable follow up questions.
7. **THIS COURT ORDERS** that no one but the witness, the parties, their legal counsel and the court reporter may be present at the cross-examination unless otherwise agreed to by the parties.

  
Master MacLeod

ENTERED AT OTTAWA  
INSCRIT A OTTAWA  
OCT 17 2011  
DOCUMENT # 2863  
IN BOOK NO. 73-43  
AU REGISTRE NO. 73-43

Court File No.: 11-51657

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

**BETWEEN:**

**JOANNE ST. LEWIS**

Plaintiff

- and -

**DENIS RANCOURT**

Defendant

**REFUSALS AND UNDERTAKINGS CHART (DENIS RANCOURT)**

<b>REFUSALS</b>					
Refusals to answer questions on the cross-examination of the Affidavits of Denis Rancourt, sworn August 25 and 26, 2011.					
Cross-examination dated September 6, 2011.					
<b>Issue &amp; Relationship to pleadings or affidavit</b>	<b>Question No.</b>	<b>Page No.</b>	<b>Specific Question</b>	<b>Answer or precise basis for refusal</b>	<b>Disposition by the Court</b>
1. Independence of Claude Lamontagne as an expert witness, Exhibit "E" to the Affidavit of Denis Rancourt, August 25, 2011	28-34	13-15	Produce all of the records and communications Mr. Rancourt had with Claude Lamontagne regarding Claude Lamontagne's affidavit attached as Exhibit "E" to Mr. Rancourt's August 25, 2011 affidavit.		