

Joanne St. Lewis

- and - Denis Rancourt

Plaintiff

Defendant

Court File No. 11-51657

January 26, 2011

R. Dearden for pl.

Denis Rancourt in person.

P. Doady for the University of Ottawa.

The parties consent to the motion for case management and in my view this is a case which would benefit from active management ~~rather~~ having regard to the criteria in Rule 77.

The moving party has decided to defer a summary judgment motion. What the plaintiff does ask is an order establishing a timetable for the action and for a chambers motion. Mr Doady appears because the University will seek leave to intervene in the chambers motion. He also asks for a timetable to permit an orderly sequencing of the events which may involve the university.

Mr Rancourt agrees that the action should be case managed. He also indicates that he has no objection to a case conference being convened

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

**MOTION RECORD OF THE PLAINTIFF**

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and furthermore that he has no objection to the case management taking place in English. He advises however that he will be exercising his right to request the hearing of the motion itself to be in French as bilingual. Mr. Roussel proposes however that the case conference be on a different day to give him time to prepare.

Having regard to all of the above, to the purposes of case management & to the imperatives of efficiency and cost effectiveness for the parties and for the court an order will go as follows:

- a) This action is subject to Rule 77.
- b) There will be an immediate case conference to determine what aspect of the case may be scheduled at this time and whether any procedural orders should be made at this time.

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Costs

Mr Rancourt asked to make submissions on costs. He argues that the motion should not have been required because he had previously ~~not~~ agreed to case management and he argues that the plaintiffs have refused to provide information such as the information at the H of his motion record. This however was not the issue argued today. While it is true that the motion to schedule a summary judgment motion was not argued, Mr Rancourt knew perfectly well that the plaintiff was ~~arguing~~ seeking an immediate case conference and ~~that~~ Mr Rancourt opposed that. <sup>It took</sup> He spent the better part of an hour <sup>to deal with the argument against a case conference</sup> ~~to argue~~ request on immediate case conference and to hear cost submissions. ~~Here~~ In my view the plaintiff has been successful on the matter that was argued & the plaintiff would be entitled to costs of the morning. Accordingly the plaintiff shall have costs of the portion of the morning devoted to this argument fixed at \$300.00 ✓



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