

**SUPERIOR COURT OF JUSTICE - ONTARIO**

**RE:** JOANNE ST. LEWIS, Plaintiff

**AND:**

DENIS RANCOURT, Defendant

**BEFORE:** Master MacLeod

**COUNSEL:** Richard G. Dearden, for the plaintiff

Denis Rancourt, in person

Peter Doody for the University of Ottawa

**ENDORSEMENT AT CASE CONFERENCE**

- 1] This was a case conference convened pursuant to my order made earlier this morning. Pursuant to Rule 77, a case conference may be convened at any time at the request of a party or on the court's own initiative. One of the objectives of a case conference is to reduce the need for formal motions and another of course is to sequence events so that they can proceed as efficiently as possible.
- 2] During the motion this morning, Mr. Rancourt advised the court for the first time that notwithstanding his pleadings in English, his motion material in English, his submissions in English and the alleged defamation being in English, he would be requiring that the eventual motion or trial proceed as a bilingual hearing. He advised however that he was content to have the motion itself and any case conferences proceed in English.
- 3] After I had ruled that the case conference was to proceed and convened the case conference, Mr. Rancourt advised the court he had changed his mind and he now wished the case conference to proceed in French. In fact he advised the court that he refused to proceed in English and would thereafter address the court in French which he proceeded to do.
- 4] It is arguable that Mr. Rancourt had already waived his linguistic rights with respect to the case conference and that attempting to change his mind in the middle of the proceeding is simply an abuse of process designed to obtain the adjournment he had already been refused. I am however reluctant to compel him to proceed in English because it is inefficient to add a further controversy to what has already become a highly publicized dispute. Ordinarily there are bilingual judicial officers readily available but I was unable to arrange to have another judge or master take the conference on short notice.

- 5] Accordingly the case conference is adjourned to a date and time to be set by the court before a bilingual master or judge. The parties are to check with Ms. Estabrooks of my office this afternoon at 3:30 pm as it may be possible to have the conference proceed at that time or shortly thereafter.
- 6] That master or judge may also deal with the question of costs for today.



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Master MacLeod

**Date:** January 26, 2012