

2012 CarswellOnt 17530,

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Maric v. Solski

Jadranka Maric et al., Plaintiffs and Helen Solski et al., Defendants

Ontario Superior Court of Justice

Carpenter-Gunn J.

Judgment: October 30, 2012

Docket: Hamilton 11-29217

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Counsel: Mr. J. Waxman, for Plaintiff

Mr. A. Cheng, for Defence

Subject: Civil Practice and Procedure

Civil practice and procedure

Carpenter-Gunn J.:

1 As stated in court, this motion was entirely unnecessary based on the specific facts of this case. The defendants could have served and filed the Trial Record, should they have felt that step was appropriate. It wasn't until yesterday that the moving party (the defendants) withdrew the relief originally requested of dismissing the Actions due to the Plaintiffs not serving and filing the Trial Record. The plaintiffs offered to do what [illegible text] agreed to *before* this Motion was argued. Given that the plaintiffs have been successful, the defendants shall pay costs fixed in the sum of \$1,500 all in forthwith. On consent, it's agreed the Trial Record shall be served and filed by plaintiffs by June 28, 2013.

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