



Court File No. DC-15-24-00

**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**  
**(Divisional Court)**

THE HONOURABLE JUSTICE )  
M.G. EMERY )  
)

TUESDAY, THE 23<sup>RD</sup> DAY  
OF JUNE, 2015

B E T W E E N:

██████████ McFADYEN

Appellant (Responding Party)

-and-

██████████ SMITH, ██████████ SMITH, ██████████ SMITH and ██████████ SMITH

Respondents (Moving Parties)

**ORDER**

THIS MOTION, made by the Respondents, ██████████ Smith, ██████████ Smith, ██████████ Smith and ██████████ Smith, without notice pursuant to the Order of Justice Miller dated June 5, 2015 for the quashing of the appeal, and enforcement of the terms of eviction Order of Enza Buffa, Member, Landlord and Tenant Board dated February 10, 2015, was heard this day at Brampton, Ontario.

ON READING the notice of motion and motion record filed by the Respondents and on hearing the submissions of the lawyer for the Respondents,

1. THIS COURT ORDERS that the Notice of Appeal of the Appellant dated February 26, 2015 shall be quashed.
2. AND THIS COURT ORDERS that the Sheriff in the jurisdiction of the Town of Orangeville, Dufferin County, and/or any other sheriff or police department in the jurisdiction of the property located at 387091 – 20<sup>th</sup> Side Road, Mono, Ontario L9W 6V5 shall ~~immediately~~ <sup>not until</sup> enforce the terms of the eviction order of Enza Buffa, Member, Landlord and Tenant Board dated February 10, 2015.

JUNE 30, 2015  
MGE

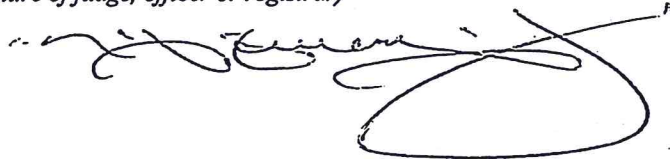
not until  
MGE

3. AND THIS COURT ORDERS that the Appellant, [REDACTED] McFadyen shall pay to the Respondents interest owing to date pursuant to the Order of Enza, Member, Landlord and Tenant Board dated February 10, 2015 in the amount of \$101.77.

4. AND THIS COURT ORDERS that the Appellant, [REDACTED] McFadyen shall pay to the Respondents cost of this motion, fixed at \$ 2,500 , within thirty (30) days.

5. *A copy of my endorsement, this Order and the motion materials before the court today, seeking the order granted be served upon the Appellant, [REDACTED] McFadyen with 48 hours.*

(Signature of judge, officer or registrar)



ENTERED  
AT BRAMPTON  
JUN 23 2015  
BOOK No. 73-68  
INITIALS *[Handwritten initials]*

**MCFADYEN**

-and-

**SMITH, SMITH, SMITH and SMITH**

Appellant (Responding Party)

Respondents (Moving Parties)

Court File No. DC-15-24-00

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
(Divisional Court)**

Proceeding commenced at  
Brampton

**ORDER**

June 23, 2015

Shawn M. Philbert  
Barrister and Solicitor, Notary Public  
4257 Sherwoodtowne Blvd., Main Floor  
Mississauga, Ontario  
L4Z 1Y5

LSUC No. 47351S  
Tel: (905) 270-0073 ext. 223  
Fax: (905) 270-6462

Lawyer for the Respondents (Moving Parties)