

Court File No. DC-15-24-00

ONTARIO
SUPERIOR COURT OF JUSTICE
(Divisional Court)

THE HONOURABLE)
)
MR JUSTICE D. K. GRAY)

TUESDAY, THE 29th DAY
OF SEPTEMBER, 2015

BETWEEN:



[REDACTED] McFADYEN

Appellant (Moving Party)

-and-

[REDACTED] SMITH, [REDACTED] SMITH, [REDACTED] SMITH and [REDACTED] SMITH

Respondents (Responding Parties)

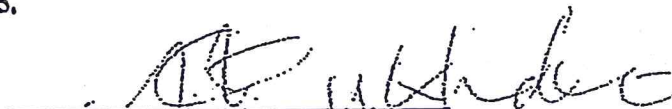
ORDER

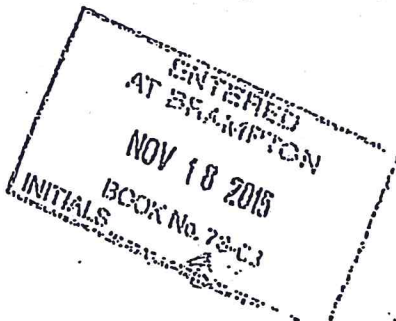
THIS MOTION, made by the Appellant, David McFadyen for an order to suspend or set aside the Order of Justice Miller dated June 5, 2015 and the subsequent Order of Justice Emery dated June 23, 2015, was heard this day at Brampton, Ontario.

ON READING the notice of motion and motion record filed by the Appellant and the responding motion record of the Respondents, and on hearing the submissions of the respective lawyers for the Appellant and the Respondents,

1. THIS COURT ORDERS that the Appellant's motion is dismissed.
2. AND THIS COURT ORDERS that the Appellant shall pay costs to the Respondents fixed at the partial indemnity rate of \$5,000.00.

THIS ORDER BEARS INTEREST at the rate of 2% per year commencing on September 29, 2015.


(Signature of judge officer or registrar)



[REDACTED] McFADYEN

-and-

**[REDACTED] SMITH, [REDACTED] SMITH,
[REDACTED] SMITH and [REDACTED] SMITH**

Appellant (Moving Party)

Respondents (Responding Parties)

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

Proceeding commenced at
Brampton

ORDER

September 29, 2015

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