

Superior Court of Justice, Family Court

(Name of court)

Court File Number

FC-24-124**at 29 Second St. W., Cornwall, Ontario K6J 1G3**

(Court office address)

**Form 17A:
Case Conference Brief -
General****Name of party filing this brief****Date of case conference****Natashia Lynn Michinski****JULY 29, 2024****Applicant(s)***Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).***Natashia Lynn Michinski****15490 Ashburn Road****Berwick, ON****K0C 1G0****Tel: (613) 316-0412****nmichinski@gmail.com***Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).***M. Anne Vespry****Barrister and Solicitor****Suite 642****99 - 1568 Merivale Road****Ottawa, Ontario K2G 5Y7****Tel: 613 800 8334****Fax: 613 800 8334****anne@vespry.ca****Respondent(s)***Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).***Justin Skyler Zanth****15490 Ashburn Road****Berwick, ON****K0C 1G0****Tel: 6138980992****skylerzanth@gmail.com***Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).***PART 1: FAMILY FACTS**

1. **APPLICANT:** Age: 32 Birthdate: (d, m, y) 03/21/1992
2. **RESPONDENT:** Age: 36 Birthdate: (d, m, y) 06/15/1988
3. **RELATIONSHIP DATES:**
- ☐ Married on (date) _____
- ☒ Separated on (date) August 10, 2023
- ☒ Started living together on (date) December 1, 2016
- ☐ Never lived together
- ☐ Other (Explain.) _____

4. The basic information about the child(ren) is as follows:

Child's full legal name	Age	Birthdate (d, m, y)	Grade/Year and School	Now living with

PART 2: ISSUES

5. What are the issues in this case that **HAVE** been settled:

- | | | |
|---|--|--|
| <input type="checkbox"/> decision-making responsibility | <input type="checkbox"/> spousal support | <input type="checkbox"/> possession of home |
| <input type="checkbox"/> parenting time | <input type="checkbox"/> child support | <input type="checkbox"/> ownership of property |
| <input type="checkbox"/> contact | <input type="checkbox"/> restraining order | <input type="checkbox"/> equalization of net family property |
| <input type="checkbox"/> other (<i>Specify.</i>) | | |

6. What are the issues in this case that have **NOT** yet been settled:

- | | | |
|---|---|--|
| <input type="checkbox"/> decision-making responsibility | <input type="checkbox"/> spousal support | <input checked="" type="checkbox"/> possession of home |
| <input type="checkbox"/> parenting time | <input type="checkbox"/> child support | <input checked="" type="checkbox"/> ownership of property |
| <input type="checkbox"/> contact | <input checked="" type="checkbox"/> restraining order | <input type="checkbox"/> equalization of net family property |
| <input type="checkbox"/> other (<i>Specify.</i>) | | |

7. If child or spousal support is an issue, give the income of the parties:

Applicant: \$ _____ per year for the year 20 _____

Respondent: \$ _____ per year for the year 20 _____

8. Have you explored any ways to settle the issues that are still in dispute in this case?

- ☐ No. ☒ Yes. (*Give details.*)

Negotiation and exchange of offers to settle.

9. Have any of the issues that have been settled been turned into a court order or a written agreement?

- ☒ No.
- ☐ Yes. ☐ an order dated _____
- ☐ a written agreement that is attached.

10. Have the parents attended a family law or parenting education session?

- ☒ No. (*Should they attend one?*)

No

- ☐ Yes. (*Give details.*)

PART 3: ISSUES FOR THIS CASE CONFERENCE

11. What are the issues for this case conference? What are the important facts for this case conference?

1. Issuance of restraining order
2. Financial statement of the Respondent

12. What is your proposal to resolve these issues?

1. That the respondent be restrained from attending the home, workplace, or other places regularly occupied by the applicant. And further that the respondent be restrained from contacting the applicant directly by means of phone, text message, email or otherwise.

2. That the financial statement of the respondent be struck, and the respondent be given one further chance to report his financial information truthfully, with disclosure of bank account statements and credit card statements to support the information given. Misstatements requiring correction include:
- a. Line 3, no proof of income year to date should include employment insurance and RoE, neither were provided
 - b. Line 4, previous year's income of \$78,308.73 left blank.
 - c. Line 5, Court permitted filing without 2023 return. Only 2022 return was filed and no Notices of Assessment were filed for 2021, or 2022.
 - d. Part 2: Expenses – no housing expenses have been paid in the last twelve months.
 - e. Part 2: Expenses – no utilities have been paid in the same period.
 - f. Part 2: Expenses – car loan payments have been made by the applicant, solely, as were car insurance payments until April 2024 – note these payments are also not showing in Part 5: Debts.
 - g. Part 3: Other income earners in the home – since July 2023, the respondent has contributed nothing towards mortgage, utilities, repairs, taxes or general upkeep. The applicant has been solely responsible for all household expenses.
 - h. Part 4(a): Estimated value of home not 50%, but rather 100%
 - i. Parts 5(b)-9: Confusing and mathematically incorrect.
3. In the alternative, that the respondent be ordered to pay the actual value of the household expenses he lists in his financial statement (including arrears) to the applicant who is currently – and has been for the last twelve months – singlehandedly bearing the full expenses of utilities and mortgage on the home at 15490 Ashburn Road in Berwick, ON. The monthly amount currently owing is \$1125.50, plus utilities, plus 587.17 for his car loan.

13. Do you want the court to make a temporary or final order at the case conference about any of these issues?

☐

No.

☒

Yes. *(Give details.)*

1. The Respondent shall serve the other party with and file a copy of the following documents with the court on or before August 15, 2024:

a. A corrected Form 13.1: Financial Statement (Property and Support Claims);

b. A Form 13A: Certificate of Financial Disclosure;

c. The following documents as proof of income for each of the previous 3 years:

i. A copy of every personal income tax return with all schedules, attachments and information slips, filed with the Canada Revenue Agency (These documents must be served but should not be filed with the court)

ii. If personal income tax returns have not been filed with the Canada Revenue Agency, a copy of all income slips (T4s, T4As, T5s, etc.) received for any of these taxation years.

iii. Notices of assessment and, if any, notices of reassessment; or,

iv. Where notices of assessment are reassessment are not available, a copy of the Income and Deductions printout provided by the Canada Revenue Agency for the missing taxation year/s (To obtain this information, contact customer service at 1-800-959-8281)

2. The Respondent is restrained from contacting the applicant directly by means of phone, text message, email or otherwise. The respondent is restrained from attending the home at 15490 Ashburn Road in Berwick, ON and any other home, workplace, or other places regularly occupied by the applicant. The respondent is to be given until August 1, 2024 to remove the rest of his possessions from the home at 15490 Ashburn Road in Berwick, ON, during which time the applicant will not attend at the home. After that time, if the respondent is found at 15490 Ashburn Road in Berwick, ON, the police will enforce this restraining order or the current No Trespass Order.

PART 4: FINANCIAL INFORMATION

NOTE: - If a claim for support has been made in this case, you must serve and file a new Financial Statement (Form 13 or 13.1), if it is different from the one filed in the continuing record or if the one in the continuing record is more than 30 days old. If there are minor changes but no major changes in your financial statement, you can serve and file an affidavit with details of the changes instead of a new financial statement. If you have not yet filed a financial statement in the continuing record, you must do it now. The page/tab number of the financial statement in the continuing record is _____

14. If a claim is being made for child support and a claim is made for special expenses under the Child Support Guidelines, give details of those expenses or attach additional information.
15. If a claim is made for child support and you claim that the Child Support Guidelines table amount should not be ordered, briefly outline the reasons here or attach an additional page.

PART 5: PROCEDURAL ISSUES

16. If parenting issues are not yet settled:
- (a) Is a parenting assessment needed?
- ☐ No. ☐ Yes. (Give names of possible assessors.)
- (b) Does a child or a parent under 18 years of age need legal representation from the Office of the Children's Lawyer?
- ☐ No. ☐ Yes. (Give details and reasons.)
17. If automatic orders were issued under rule 8.0.1, have the parties complied with all the orders?
- ☐ Yes. ☐ No. (Explain what has not been done.)
18. Does any party need an order for the disclosure of documents, the questioning of witnesses, a property valuation or any other matter in this case?
- ☐ No. ☒ Yes. (Give details.)
1. In addition to the above-mentioned disclosure, the Respondent shall produce to the other party the following documents on or before August 15, 2024:
- a. The party's personal resume, a list of all places or persons to whom the party has applied for employment since quitting his job, with dates and contact information, and a copy of all responses received.
- b. Medical documentation verifying any inability to work due to illness or disability.
- c. A copy of any application for illness or disability benefits submitted to the Canada Pension Plan, the Ontario Disability Support Program or any illness or disability insurer and the response to each application.

- d. A copy of the party's Record of Employment (both front and back) from their last employer.
- e. Documentation to show any Employment Insurance received within the last 12 months, as well as any supplemental income or benefits received during this time.
- f. A copy of the party's bank statements from 1/1/2020 to present.
- g. A copy of the party's credit card statements from 1/1/2020 to present.
- h. A copy of the party's credit report or any applications for credit filed by the party from 1/1/2020 to present.

19. Are any other procedural orders needed?

☐ No.

☒ Yes. (Give details.)

This matter will proceed remotely by videoconference to a motion to be heard on _____.

20. Have all the persons who should be parties in this case been added as parties?

☒ Yes.

☐ No. (Who needs to be added?)

21. Are there issues that may require expert evidence or a report?

☒ No.

☐ Yes. (If yes, provide details such as: the type of expert evidence; whether the parties will be retaining a joint expert; who the expert will be; who will be paying the expert; how long it will take to obtain a report, etc.)

22. Are there any other issues that should be reviewed at the case conference?

☒ No.

☐ Yes. (Give details.)

07/14/2024 PDT

Date of party's signature

Natashia Michinski

Signer ID: QEFOFDEY13...

Signature of party

07/14/2024 PDT

Date of lawyer's signature

Amie Vespa

Signer ID: X6HLOMLB12...

Signature of party's lawyer

Signature Certificate



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Author: Anne Vespry Creation Date: 14 Jul 2024, 18:25:50, PDT Completion Date: 14 Jul 2024, 21:00:51, PDT

Document Details:

Name: Form 13.1 - Financial Statement (Property and Support Claims)

Type:

Document Ref: 101a35646e9554dd1230b73988e5928de8bf979ef272177a3e64229c1e922dae

Document Total Pages: 12

Name: Form 13A - Certificate of Financial Disclosure

Type:

Document Ref: d2e2e96b6e860afe6878fb35935f281105f7b692aed22346b5f61151b85e75d4

Document Total Pages: 2

Name: Form 17A - Case Conference Brief (General)

Type:

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Document Signed By:

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Date: 14 Jul 2024, 18:46:25, PDT
Consent: eSignature Consent Accepted

Security Level: Email

Name: Anne Vespry
Email: anne@vespry.ca

Natasha Michinski
Signer ID: QEFOFDEY13...

Anne Vespry
Signer ID: X6HLOMLB12...

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Date:	14 Jul 2024, 21:00:51, PDT
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Signed Document(s)	Link emailed to nmichinski@gmail.com
Signed Document(s)	Link emailed to anne@vespry.ca