

Superior Court of Justice, Family Court

(Name of Court)

Court File Number

FC-15-2492

at **161 Elgin Street, Ottawa, ON K2P 2K1**
(Court office address)

Form 14C: Confirmation of Motion**Applicant(s)**

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Darryl Ross
3705 Riverbreeze
Unit D
Ottawa, ON
K2J 0S1

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Respondent(s)

Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Cynthia Holmes
221 Brambling Way
Ottawa, ON
K2J 0E4

Lawyer's name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any).

Alison Boyce
Mann Lawyers
11 Holland Avenue
Suite 300
Ottawa, Ontario K1Y 4S1
Tel: 613-722-1500
Fax: 613-722-7677
Alison.Boyce@mannlawyers.com

Children's Lawyer

Name & address of Children's Lawyer's agent (street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any)) and name of person represented.

- My name is (full legal name) Allison Lendor
and I am ☒ the lawyer for (name) Darryl Ross
☐ the applicant in this case ☐ the respondent in this case
☐ other (specify) _____
- Have you conferred with the opposing counsel or party regarding the issues, motion material, and time estimates, as set out in paragraphs 3 to 10 below?
☐ Yes
☒ No, because (provide reasons)
I am in the process of retaining legal counsel which should be finalized today (December 15, 2021). My soon to be retained lawyer has not had an opportunity to speak with the Respondent's counsel (Ms. Boyce) about the issues for the motion. I have not discussed the outstanding issue in Respondent's motion, although I have requested on numerous occasions to discuss it with the Respondent's counsel.
- The scheduled date and time for this motion is (date) December 20, 2021 at 10:00 ☒ a.m. ☐ p.m.
- Has a case conference been held on the substantive issues in this case?
☒ Yes, a case conference was held before Justice Champagne.
☐ No, a case conference has not been held on the substantive issues in this case.
- The case management judge for this case is Justice _____
- This matter is _____

- ☐ going ahead on the issues listed in paragraph 7 below.
- ☐ going ahead for a consent order (*attach draft order*).
- ☐ being adjourned on consent to (*date*) _____ for a (*event*) _____
because (*give reasons*) _____
- ☒ going ahead for a contested adjournment to (*date*) To be scheduled asked for by (*name of person asking for adjournment*) The Applicant, Darryl Ross because (*give reasons*)
1. I have had difficulty obtaining counsel as he was previously seeking counsel on a Legal Aid Ontario Certificate.
 2. I retained counsel last week, however, at the last minute that counsel declined to go ahead with the signed retainer agreement.
 3. I contacted new counsel yesterday and we agreed to go ahead with a retainer today (December 15), which is after his deadline to file my responding materials.
 4. The Respondent's Affidavit for the motion is 19 pages long, which is double the length permitted by the *Family Law Rules*.

7. What specific orders are you seeking on this motion? (*List the specific orders below*)

- a) An adjournment of the motion to the next available court date in order.
- b) An adjournment of the motion because the Respondent has not complied with the filing rules of the court. The Applicant's affidavit is 19 pages long and 82 pages in total. This far exceeds what is acceptable for motion materials and the materials should have been flagged by the Family Law counter.
- c) If the motion is to proceed, the Applicant (responding party) is seeking an order reinstating his parenting time with the children. The Respondent has not permitted ANY parenting time to the Applicant father since June 2021. The alleged reason is due to the father's lack of disclosure.

8. ☐ I confirm that I will bring a draft order to the motion.

9. The presiding judge will be referred to the following pages/tabs:

10. Time estimate: applicant: 20 minutes; respondent: 15 minutes; for a total of 35 minutes.

NOTE: The *Family Law Rules* require you to **deliver a copy** of this form to the opposing lawyer or party, unless this is a child protection matter. For clarification, regular or special service and an accompanying Affidavit of Service (Form 6B) under rule 6 of the *Family Law Rules* are not required. However, you must deliver this form by some method (including fax or e-mail) to the opposing lawyer or party prior to giving a copy to the court clerk.

December 15, 2021 Darryl Ross 

Date of signature

Lawyer's or party's signature