



COURT OF APPEAL FOR ONTARIO
COUR D'APPEL DE L'ONTARIO

PLEASE ADDRESS ALL COMMUNICATIONS TO:
ADRESSER TOUTE CORRESPONDANCE À :

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November 17, 2017
Sent by e-mail

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Dear Counsel,

Re: Catalyst Capital v. Moyse, B
Court of Appeal for Ontario File No.: C62655

This letter will confirm that a case conference was held on November 16, 2017 between the Justice Rouleau and counsel. As a result of the case conference Justice Rouleau has directed the following.

- The appellant is to determine whether it will proceed with a fresh evidence application by December 1, 2017. That decision is to be communicated to the respondents by that date.
- If the appellants decides to proceed with a fresh evidence application, the notice of application is to be served and filed by December 1, 2017. All of the proposed fresh evidence need not be filed by December 1, 2017 although it is desirable that it be.
- The parties are to appear before me on December 1, 2017 at 1:15 p.m. in order to set a timetable for filing of materials and setting of deadlines for cross examinations. The parties should come prepared to commit to a schedule that will ensure that the appeal can proceed on the dates set for hearing. Those dates, February 20 – 22 are peremptory to the appellant.
- If the appellant advises that it will not proceed with a fresh evidence application, counsel are to advise the parties and the court as soon as possible and the December 1, 2017 appearance will be cancelled.

Sincerely,



Lily Miranda
Office of the Senior Legal Officer
Court of Appeal for Ontario

CC: The Honourable Justice Rouleau