

Court of Appeal File No. C60799/M45378

## COURT OF APPEAL FOR ONTARIO

THE ASSOCIATE CHIEF JUSTICE OF ONTARIO	)	THURSDAY THE 17 <sup>th</sup>
THE HONOURABLE JUSTICE MacFARLAND	)	
THE HONOURABLE JUSTICE LAUWERS	)	DAY OF NOVEMBER, 2015

BETWEEN:



THE CATALYST CAPITAL GROUP INC.

Plaintiff  
(Appellant/Responding Party)

and

BRANDON MOYSE and WEST FACE CAPITAL INC.

Defendants  
(Respondent/Moving Party)

## ORDER

**THIS MOTION** by the defendant (respondent on the appeal) Brandon Moyse ("Moyse") for an order quashing the plaintiff's appeal from the order of Justice Benjamin T. Glustein dated July 7, 2015, on the basis that the Court of Appeal for Ontario does not have jurisdiction to hear this appeal, was heard on November 5, 2015 at Osgoode Hall, 130 Queen Street West, Toronto, Ontario.

**ON READING** the motion record, responding motion record, facta and books of authorities filed by the parties, and on hearing the submissions of counsel for the parties:

1. **THIS COURT ORDERS** that the appeal bearing Court of Appeal Court File Number C60799 is quashed.
2. **THIS COURT ORDERS** that the appeal is quashed without prejudice to the plaintiff's right to seek leave to appeal to the Divisional Court.
3. **THIS COURT ORDERS** that the costs of this motion are fixed in the amount of \$5,000.00 (inclusive of disbursements and HST) and payable by the plaintiff to Moyse.

**THIS ORDER BEARS INTEREST** at the rate of 2 per cent per year commencing on ~~December 17,~~ <sup>November 17\*</sup> 2015.

*Yona Khee*  
\_\_\_\_\_  
Registrar

ENTERED AT / INSCRIPT À TORONTO  
ON / BOOK NO:  
LE / DANS LE REGISTRE NO.:

DEC 04 2015

PER / PAR: *Jr*

THE CATALYST CAPITAL GROUP INC.  
Plaintiff  
(Appellant/Responding Party)

-and- BRANDON MOYSE et al.  
Defendants  
(Respondents/Moving Parties)

COURT OF APPEAL FOR ONTARIO  
PROCEEDING COMMENCED AT  
TORONTO

ORDER

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Lawyers for the Defendant (Respondent/Moving Party),  
Brandon Moyse