



Riley Brooks

Case Conference

To: Leah Dyck, Cc: Marcey Kingdon

December 16, 2024 at 11:44 AM



[Details](#)



Ms. Dyck,

The court has re-scheduled the December 24, 2024, motion date to December 31, 2024. I am out of the country and not available.

We have spoken with the trial coordinator who has advised that you have not properly secured a motion date for any of the December 24, 2024, December 31, 2024, or February 18, 2025 dates, despite your correspondence indicating to the contrary.

Accordingly, we intend to seek a case conference. A case conference will allow the court to schedule the various outstanding motions. The case conference is conducted virtually or via telephone. The case conference is obtained by filing the attached form.

Please advise any dates between now and January 31, 2025 that you **are not** available for a case conference and we will proceed to request same.

Riley Brooks

Lawyer



HGR Graham Partners LLP

Lawyers · Mediators

190 Cundles Road East, Suite 107

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LEAP Email Reference IF:e6aebd89-862c-4208-94d3-74290cf98809IM:9e62cf38-d88d-40d0-97c0-cc98c48b5d30IO:45fb686f-9c23-4db3-9335-05c775dab2a6I
(Please do not delete)



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Leah Dyck

Re: Case Conference

To: Riley Brooks

December 16, 2024 at 11:59 AM



Riley,

When are you available next?

I am entitled to file a motion to dismiss under rule 137.1 and I am entitled to get a date within 60 days of filing.

I am going to the courthouse now to find out why no one is giving me a date, despite having confirmation:



JUS-G-MAG-SCJ-Barrie-Trial Coordination

RE: Motion Hearing Date for CV-24-00002378-0000.

To: Leah Dyck

December 13, 2024 at 10:25 AM



Siri Found a Contact

JUS-G-MAG-SCJ-Barrie-Trial Coordination
barrie.scj.tc@ontario.ca

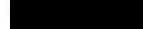
Add



Good morning,

Yes, I had a spot open on December 31, 2024 I will add this matter to that date, please be sure to have all of your material and confirmation filed.

Thank you,



Civil Trial Coordinator, SCJ
Barrie.SCJ.TC@ontario.ca

Ontario Superior Court of Justice
75 Mulcaster Street, Room 412
Barrie, Ont L4M 3P2
705-739-6153

Leah Dyck



Riley Brooks

RE: Case Conference

To: Leah Dyck, Cc: Marcey Kingdon

December 16, 2024 at 12:05 PM



[Details](#)



Ms. Dyck,

I am not suggesting you are not entitled to file your motion. But the court provides the dates – the parties to the litigation simply do not just pick a date.

I am **not** available on December 31. If the court provides alternative dates, I can check my availability. That is the purpose of the case conference – to schedule the appropriate dates for your motion and my client’s motion.

Riley Brooks

Lawyer



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Leah Dyck

December 16, 2024 at 12:09 PM

Re: Case Conference

To: Riley Brooks



once my motion to dismiss is filed, neither you nor I can take anymore steps in the proceeding until the proceeding is disposed of. Your motion cannot be heard until mine is and if mine is denied, i'm appealing it with the divisional court. And still, your motion cannot be heard until that appeal is heard.

I am at the courthouse now to find out another date and will let you know available dates. But I am also entitled to have my motion to dismiss heard within 60 days.

Leah
Sent from my iPhone



Riley Brooks

December 16, 2024 at 12:14 PM

RE: Case Conference

To: Leah Dyck, Cc: Marcey Kingdon

[Details](#)



Ms. Dyck,

I am fully aware of the consequences of the motion you're looking to file. You, nor I, are at liberty to pick whatever date we want. It is up to the court. And while your motion ought to be heard within 60 days, it is subject to the court's availability.

As indicated twice now, the case conference I am going to request of the court is for the court to schedule the outstanding motions, *including your motion*, because the trial coordinator has advised us as of this morning that your motion is not properly scheduled for any of December 24, December 31, or February 18.

At the case conference, the court will be able to schedule your motion.

Riley Brooks

Lawyer



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Leah Dyck

Re: Case Conference

To: Riley Brooks

December 16, 2024 at 12:24 PM



Siri Found an Event

Case Conference

Tue, Dec 31 at 9:30 am

Add



I just spoke with [REDACTED] the trial coordinator in her Office and she just confirmed with me that my motion to dismiss will be heard on Dec. 31st at 9:30am and if you're not able to make it, that's not my problem.

She also told me that you vacated your motion and it has not been rescheduled to be heard.

I am not filing out the form you asked me to fill out unless you explain why.

From my understanding, you are not allowed to take anymore actions so I don't know why you're trying to take an action by having me fill out this form and schedule a case conference. I don't know what a case conference is. Can you explain how scheduling a case conference for your motion to be heard is not taking an action? Because it sure sounds like you're trying to take an action to me. Which you cannot do.

If necessary, I will come back to the courthouse later this afternoon and take a video of both the service desk and trial coordinator confirming this with their spoken words if you continue to try to obstruct justice and break rules of civil procedure.

Leah



<CivilClaimsDocuments@ontario.ca>...

Respondent's Lawyers

December 16, 2024 at 12:25 PM

Superior Court of Justice – CV-24-00002378-0000 - Barrie / Cour supérieure de justice – C...

To: Leah Dyck

[Details](#)



This is a message from the Superior Court of Justice regarding your case: **BARRIE MUNICIPAL NOT-PROFIT HOUSING CORPORATION v. DYCK**, file number **CV-24-00002378-0000**.

The following document(s), submitted through Civil Submissions Online (CSO) hosted on the Justice Services Online (JSO) platform on December 13, 2024 at 11:20am, **Confirmation # 2763967**, have been filed with the Court:

- Document is being submitted by a person with a fee waiver certificate
- Form 4D: Affidavit
- Factum
- Motion Record, where a Notice of Motion was filed (no fee payable)
- Motion Record, where a Notice of Motion was filed (no fee payable)
- Motion Record, where a Notice of Motion was filed (no fee payable)
- Motion Record, where a Notice of Motion was filed (no fee payable)
- Motion Record, where a Notice of Motion was filed (no fee payable)
- Motion Record, where a Notice of Motion was filed (no fee payable)
- Form 16B: Affidavit of Service

PLEASE NOTE: If you do not see your filed or issued documents attached to this email, you may download a copy of your documents by visiting the Transactions History/Download Documents section of your JSO account. Your documents will be available to download for 90 days. Otherwise, please contact the court office directly.

IMPORTANT

The document(s) are considered filed on 13-DEC-2024, unless your document(s) were submitted after 5 p.m., in which case they are considered filed on the next business day.

Please note, if your submission has been accepted for filing and/or issuance despite deficiencies identified by court staff, attached to this email you will find a *Notice of Deficiency*. This notice outlines the deficiencies identified in your document(s). The notice will also be provided to the presiding judicial officer who may make further orders related to these deficiencies.

If Case Center will be used during your hearing, you will receive an email invitation. In this case you **must** upload the documents you have filed with the court to the Case Center platform in accordance with rule 4.05.3 of the [Rules of Civil Procedure](#).

To request a copy of any document filed or issued in your case in an alternative format, please contact the Accessibility Coordinator at the court location where you filed your documents. Information on how to contact an Accessibility Coordinator can be found on the Ministry of the Attorney General's [Court Addresses website](#).

You should keep a copy of this email for your records.

For more information, contact the court at:

Barrie

75 Mulcaster Street, Barrie, ON, L4M3P2

Phone Number: (705) 739-6111

For technical assistance, contact the Ministry of the Attorney General, Court Services Division's Contact Centre for Online Services at 1-800-980-4962 or 647-438-0403, TTY 416-368-4202 or Toll Free number 1-833-820-0714 or by email to CivilClaimsOnline@ontario.ca.