

IN THE SUPREME COURT OF BRITISH COLUMBIA

Date: 20181011
Docket: E181345
Registry: Vancouver

Between:

Lesley Kim McDonald also known as Lesley Kim Popil

Claimant

And

Stewart Lawrence McDonald and 0761782 B.C. Ltd.

Respondents

Before: Master Muir

Oral Reasons for Judgment

In Chambers

Counsel for the Claimant:

M. Magnusson

The respondent, Stewart Lawrence
McDonald, appearing in person and on
behalf of 0761782 B.C. Ltd.:

S.L. McDonald

Place and Date of Hearing:

Vancouver, B.C.
October 11, 2018

Place and Date of Judgment:

Vancouver, B.C.
October 11, 2018

[1] **THE COURT:** I am going to set a judicial case conference (“JCC”) for November 19, 2018.

[2] Now, you must at least, by November 9, 2018, file and serve a response to the notice of family claim as is required by para. 5 of the JCC order, but I am extending the date.

[3] You must provide a list of documents as is required by para. 6 of the JCC order, but again I am extending the date to November 9, 2018.

[4] You must, in that list of documents, provide full financial disclosure as is required by para. 7 of the JCC order, again by November 9, 2018.

[5] Now, I am just going to remind you, sir, that court orders are court orders. You cannot simply ignore them. When you do, you put yourself at risk of several things: (a) a fine; (b) being thrown in jail.

[6] So there are two orders here that I have seen that you have not obeyed. That puts you in a very bad light in the court’s eyes. So let me remind you that you are under these court orders. I have extended the time for the JCC order to November 9, but you are under an order not to dispose of any of your assets. Not to dispose of bank accounts or close them, which you apparently have done. That is a very serious matter frankly, and may result in you facing consequences. That is the reminder that you are under those court orders.

[7] Now, with respect to the mortgage on the family home and any other expenses, including hydro and gas and insurance and taxes, you will be responsible for those payments until this matter is heard.

[8] The JCC will proceed, as I said, on November 19, 2018, and it will proceed on a peremptory basis against you. That means it will proceed that day with no further adjournments. Your payment of the household expenses, the mortgage and so forth, is on a without prejudice basis. You can argue that you should not have to be responsible to do that.

[9] MR. MCDONALD: There's never been a bill unpaid in my household, Your Honour. Everything is up to date.

[10] THE COURT: Well then, that is excellent. So those are the terms under which the adjournment will go.

[11] Costs of today will be payable by the respondent in any event of the cause, but not forthwith. So you will be responsible ultimately, sir, for costs that were necessitated by having this hearing today.

"Master Muir"