

ONTARIO COURT (GENERAL DIVISION)

THE HONOURABLE)

MR. JUSTICE)

Sirois)

Wednesday *28th BAC*
~~THURSDAY~~, THE ~~23RD~~ DAY
September
OF ~~JUNE~~, 1994

BETWEEN:

CATHERINE L.E. ROSS

Petitioner
(Wife)

- and -

WILLIAM THOMAS ROSS

Respondent
(Husband)

ORDER

THIS MOTION made by the Petitioner for interim custody of the children of the marriage, child support, spousal support, the appointment of assessor to conduct an assessment of the issues of custody and access, an Order restraining the Respondent from molesting, annoying, or harassing the Petitioner, and an Order granting the Petitioner exclusive possession of the matrimonial home and the contents thereof, and the Cross-Motion of the Respondent, for interim custody of the children of the marriage and the payment of interim child support, were heard this day at the Court House, 161 Elgin Street, Ottawa, Ontario;

ON READING the Notice of Motion of the Petitioner, the Notice of Cross-Motion of the Respondent, the Affidavits of the Petitioner sworn the 16th day of May, 1994, and the 21st day of June, 1994, the Affidavit of Marguerite Day sworn the 17th day of June, 1994, the Affidavit of Diane Nicol sworn the 7th day of June, 1994, the Affidavit of Donna Clement sworn the 21st day of June, 1994, the

Affidavit of Jacqueline Bonnar sworn the 20th day of June, 1994, the Affidavit of the Respondent sworn the 20th day of June, 1994, the Financial Statements of the parties, and the consent of the parties, filed;

1. THIS COURT ORDERS that the within Motion and Cross-Motion be adjourned sine die, upon the provision of four days notice, without prejudice to either party to argue all issues on the merits, upon the following terms:

(a) that the children of the marriage, namely Khierstyn Laurel Emily Ross, born November 16, 1986, and Hilary Lynne Victoria Ross, born January 27, 1989, shall continue to remain in the matrimonial home, and the parents will provide care on the following basis, commencing Monday, June 27, 1994:

<u>Week 1:</u>	Monday:	Husband shall pick up children from daycare and care for them until 9:00 p.m. in the home;
	Tuesday:	Wife shall pick up children from daycare and care for them;
	Wednesday:	As per Monday, to Husband;
	Thursday:	As per Tuesday, to Wife;
	Friday:	As per Monday, to Husband;
	Saturday:	Wife to care for children;
	Sunday:	Husband to care for children;

<u>Week 2:</u>	Monday:	Wife to pick children up from daycare and care for them;
	Tuesday:	Husband shall pick up children from daycare and care for them until 9:00 p.m. in the home;
	Wednesday:	As per Monday, to Wife;
	Thursday:	As per Tuesday, to Husband;
	Friday:	As per Monday, to Wife;

Saturday & After children's swimming lessons
Sunday: until Sunday at 9:00 p.m. the
Husband shall care for the children;

to alternate in consecutive weeks thereafter pending further Order of this Court;

- (b) that in the interim the Wife shall reside in the matrimonial home, municipally known as 1077 Thomas A. Dolan Parkway, Dunrobin, Ontario, except at the times that the Husband is to care for the children as set out above, until further Order of the Court;
- (c) that the Respondent shall pay interim interim child support to the Petitioner, in the amount of \$700.00 per month, commencing July 1, 1994, until further Order of the Court;
- (d) that an assessment of the issue of custody shall be conducted by a qualified professional, to be arranged and agreed upon by counsel;
- (e) that neither party shall communicate, directly or indirectly, to the other, except for matters to be discussed regarding the children;
- (f) that the Respondent shall receive all rental payments for Unit 2, 1077 Thomas A. Dolan Parkway, Dunrobin, Ontario, until further Order of the Court;
- (g) that the Respondent shall pay all mortgage, insurance, utility, and related expenses for the operation of the matrimonial home, known municipally as Unit 1, 19077 Thomas A. Dolan Parkway, Dunrobin, Ontario, excluding the following payments, to be made by the Petitioner: telephone, except that each party shall pay their own long distance charges, and

household grocery expenses, until further Order of the Court;
and

(h) that the Petitioner shall pay all daycare expenses until further Order of this Court.

2. THIS COURT ORDERS AND ADJUDGES that unless the support order is withdrawn from the office of the Director of the Family Support Plan, it shall be enforced by the Director and amounts owing under the support order shall be paid to the Director, who shall pay them to the person to whom they are owed.

3. THIS JUDGMENT BEARS INTEREST at the rate of 8 % per cent per annum on any payment or payments on which there is a default, from the date of the default.

B. A. Clarke

Address of the Petitioner:

c/o 1002-31 McEwen Avenue
Ottawa, Ontario
K2B 5K6

Address of the Respondent:

R.R. #2
P.O. Box 933
Dunrobin, Ontario
K0A 1T0

ENTERED AT: OTTAWA
INSCRIT À

In Book No.: 90
dans le livre no.:
as document no.: 132
ou tant que document no.:

on Sept. 29 1994
to
by JH.
par