

HAMILTON / APPOTIVE / CALLAN

Barristers & Solicitors

This is Exhibit D

of the Affidavit  
of CATHERINE ROSS  
sworn NOVEMBER 21, 1994

A Commissioner, etc.



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Registered by the Law Society of Upper Canada as a Specialist in Civil Litigation

VIA FAX

June 29, 1994

KATRINA A. PRYSTUPA  
Barrister and Solicitor  
204 - 120 Holland Avenue  
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HAMILTON / APPOTIVE  
FAX TO KEMPRVILLE  
TO KATRINA PRYSTUPA  
DATE JUNE 29 1994  
TOTAL PAGES 2  
TEL. (613) 238-8400  
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Dear Ms. Prystupa:

RE: Ross Matrimonial Matter  
Our File No. 3497

Thank you for your recent correspondence. It was my understanding that you were not going to have the Order taken out and entered so as to avoid the necessity of having a Support Deduction Order issued. Obviously, if the interim situation is only for a very short time, the paperwork involved will have hardly been done before we are back in Court. Please advise as to whether you in fact intend to have the Support Deduction Order taken out so that I may advise my client to make no payments directly to his wife. Insofar as the timing of the support is concerned, at the Courthouse last week your client stated that she was prepared to be flexible with regard to the timing of the payments. Mr. Ross admittedly stated that they could begin on July 1st, however that was when he was under the impression that he would be able to stay with a friend and incur few costs while he is not living in the matrimonial home. That is not the case and he now is faced with having to pay for alternate accommodation and he is simply not in a position to pay the full \$700.00 on July 1st. Please let me know if your client is in fact prepared to be flexible with regard to receiving the support payments.

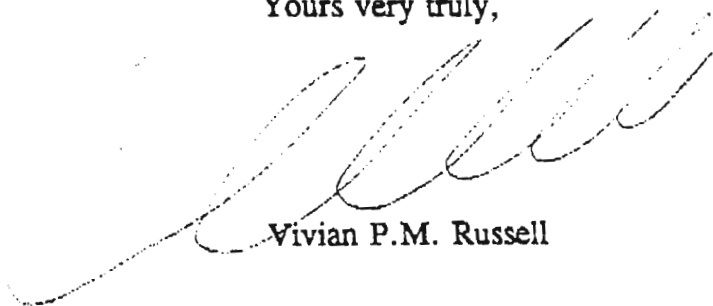
Insofar as your position with regard to Dr. Carey Stevens is concerned, I must say that I am surprised as when I spoke to you at the Courthouse last week, I mentioned Dr. Stevens' name, and you clearly said that you had no objections to him as an assessor. I am not aware of anyone else who can begin an assessment as quickly as Dr. Stevens and I feel that we cannot let this opportunity slip by as the available time will be filled quickly by others waiting for assessments. If you are not prepared to agree to Dr. Stevens, please provide me with your alternate suggestions immediately so that I may contact those persons and ascertain how soon

the assessment can begin. Mr. Ross is obviously unhappy with the current living arrangements and is not prepared to stay out of his home indefinitely while waiting for an assessment to begin.

In paragraph 2 of your letter of June 29th, you state that your client wishes Mr. Ross to pick the children up at 5:00 p.m. on Friday, July 1st. I am not clear as to what exactly is meant by that statement as Mr. Ross would have been picking the children up at daycare, bringing them to the matrimonial home and remaining there until 9:00 p.m. If it is your client's position that Mr. Ross must now take the children away from the home, this is obviously not what the agreement contains and I would appreciate hearing from you on that matter.

As I will be in and out of the office for the rest of the day today and tomorrow, I would appreciate it if you would leave a detailed voicemail message with regard to these issues or reply in writing so that I may speak with my client at the earliest possible opportunity.

Yours very truly,



Vivian P.M. Russell

VR:gr  
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