

April 24,2020

1. As a result of Covid-19, the regular operations of the Superior Court of Justice are suspended at this time as referred to in the Notice to the Profession dated March 15, 2020 available at [https://www.ontariocourts.ca/scj/covid -19- suspension -fam](https://www.ontariocourts.ca/scj/covid-19-suspension-fam).

2. The Notice of the Chief Justice provides that urgent and emergency matters shall continue to be heard by the Superior Court of Justice during the suspension of operations due to Covid – 19 and that urgency is as determined by the presiding justice. The Notice specifies that such matters may include dire issues regarding the parties' financial circumstances.

3. Determinations of urgency are summary in nature and wholly without prejudice to both parties on the hearing of the motion itself.

4. Ms. Gibson provided her application record including her affidavit and supporting exhibits, Factum and Memo of April 22, 2020 by email to the Superior Court. Upon resumption of normal court operations, counsel shall file the materials in the continuing record including an affidavit of service of the materials.

5. The court was advised that the respondents have retained counsel Mahvish Mian who has received a copy of these documents on April 15, 2020.

6. I have found based on the applicant's material filed that the matter is urgent and will be referred to another judge for determination as the concern is immediate, serious and definite and deferring consideration to some unspecified time in the future after the courts reopen for business could cause significant financial hardship to the moving party.

7. The applicant is 69 years old and her annual income in 2020 from OAS/GIS and CPP benefits will be \$20,692 because of the cessation of monthly spousal support of \$3500 and nonpayment of the life insurance benefits on Mr. Gibson's death in December 2019.

8. The next steps in this matter are as follows:

a) The applicant shall forthwith serve a copy of this endorsement on the respondents' counsel. The applicant shall also forthwith serve and file a form 13 financial statement on the respondents' counsel.

b) The respondents shall have until Wednesday, April 29, 2020 to serve and file responding materials which can be served by email on applicant's counsel. The

materials shall include full details of the assets, income and debts of the estate and particulars of all life insurance benefits paid or payable on the death of William John Gibson.

c)The applicant shall have until Friday, May 1, 2020 at 4 PM to serve and file reply materials if any.

d) All materials shall be filed with the court at Kitchener.Superior.Court@ontario.ca with the title of proceeding and file number in the subject line of the email. Service of all materials relating to this motion may be done by email between the parties.

e) This motion will be heard by videoconference during the week of May 4, 2020 at a time and date to be determined by the trial coordinator. The trial coordinator will advise counsel for the parties by email of the call in details.

9. The original of this endorsement has been signed by me.



Nightingale J.