

August 5, 2020

Endorsement:

The mother brings this urgent motion pursuant to the Consolidated Notice to the Public and the Profession issued by the Chief Justice on May 19, 2020 together with the Notice for South West Region during the suspension of Court operations due to COVID-19.

Based on her submissions I find the motion to be presumptively urgent. The father has withheld the child in Nova Scotia at the end of his summer holiday time with the child.

I order as follows:

1. The motion shall be heard by Zoom conference at a hearing to be scheduled by the trial coordinator on Friday, August 28, 2020 who shall provide call in details in due course.
2. The mother shall issue her application by August 12, 2020.
3. The mother shall serve the father by email a copy of her application, 35.1 affidavit, notice of motion, supporting affidavit and this endorsement and file the material with proof of service by email to the trial coordinator and courthouse by 4:30 pm Friday, August 14, 2020.
4. The father shall serve the mother his response by email and file same with proof of service with the trial coordinator by email by no later than 4:30 pm on Friday, August 21, 2020.
5. The mother may serve and file a short reply affidavit if required in the same manner by no later than 4:30 pm on Wednesday, August 26, 2020.
6. Subject to the discretion of the hearing judge, no affidavit shall exceed 10 pages in length not including exhibits, the exhibits shall include only those relevant to the urgent motion and shall not exceed 10 pages in length and there shall be no third party affidavits. Reference to case law shall be by hyperlink. Affidavits may be served and filed unsworn but will be affirmed at the beginning of the hearing.
7. Legal Aid for the purposes of Duty Counsel advice or FLIC assistance may be contacted at 519-660-2308. Income limits have been waived for advice purposes.

