

**ONTARIO SUPERIOR COURT OF JUSTICE
CIVIL ENDORSEMENT FORM**
(Rule 59.02(2)(c)(i))

BEFORE:	Justice Paul B. Schabas	Court File Number: CV-26-00015295-0000
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Title of Proceeding:		Applicant(s)/ Plaintiff(s)
2524117 Ontario Inc.		
-v-		
Antonio Medeiros; Maria Medeiros; Joao Medeiros; Joe Medeiros		Respondent(s)/ Defendant(s)

Case Management: ☐ Yes If so, by whom:	☐ No
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Participants and Non-Participants: (Rule 59.02(2)(vii))

Party	Counsel	E-mail Address	Phone #	Participant (Y/N)
1) PL: 2524117 Ontario Inc.	Richard Macklin, Nicole Davidson	rmacklin@whlawyers.ca ndavidson/@whlawyers.ca	416-599-7900	Y Y
2) DF: Antonio Medeiros	Self-represented (Adriana Racca, agent for family)	aaaracca@gmail.com	647-708-4026 (cell phone of Dave Medeiros)	Y
3) DF: Maria Medeiros				
4) DF: Joao Medeiros				

Date Heard: (Rule 59.02(2)(c)(iii)) 08/04/2026

Nature of Hearing (mark with an "X"): (Rule 59.02(2)(c)(iv))				
☐ Motion	☐ Appeal	☒ Case Conference	☐ Pre-Trial Conference	☐ Application

Format of Hearing (mark with an "X"): (Rule 59.02(2)(c)(iv))	
☐ In Writing	☐ Telephone ☒ Videoconference ☐ In Person
If in person, indicate courthouse address:	

Relief Requested: (Rule 59.02(2)(c)(v))
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Disposition made at hearing or conference (operative terms ordered): <i>(Rule 59.02(2)(c)(vi))</i>

Costs: On a N/A indemnity basis, fixed at \$ are payable by to [when]
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Brief Reasons, if any: <i>(Rule 59.02(2)(b))</i>
A case conference was held today in this matter. Mr. Dave Medeiros, agent for the respondents, attended together with Adriana Racca who said she was acting as agent for the respondents. She also provided her email address as the method of serving all the respondents. Ms. Racca spoke to the matter on behalf the respondents. She asserted many facts which the respondents would wish to rely on in this dispute. However, she also agreed that the Respondents were not intending to evict the applicant in the near future, until this dispute is resolved. Accordingly, there was no objection to the court granting an order that the respondents are not to evict the applicant pending resolution of this proceeding. The draft order provided by the applicant was then reviewed and revised to include an order validating service and setting a schedule for the next steps in this application. Once those steps are completed, the parties may contact me to arrange a case conference to schedule next steps, if necessary. I have revised the draft order and signed it in accordance with the wording reviewed in the case conference. The applicant sought costs of this attendance which was, effectively, a motion for interlocutory relief, arguing that it should not have been necessary. Mr. Macklin relies on <i>Cherry Cola's Rock 'N' Rolla Inc. v Choi</i>, an unreported decision of Chalmers J. dated May 7, 2021, in which costs for a similar urgent application to prevent an eviction were fixed in the amount of \$3,000. That case dealt with a respondent who was threatening eviction in the

face of laws passed during the pandemic prohibiting such evictions.

Here, the respondents ought to have been responsive to the applicant last week. It is now clear that the respondents, despite threatening eviction, did not intend to carry it out over this past long weekend as they now use their absence on the long weekend to somehow justify their lack of response. This non-responsiveness caused the applicant to incur significant legal fees. Such conduct must be discouraged, and there should be some consequence for it.

The applicant seeks over \$13,000 on a partial indemnity scale. However, the application is at an early stage and much of the time spent will be relevant to the full application if and when it is heard. In the circumstances, the respondents shall pay the applicant costs of this motion/case conference in the amount of \$6,500, payable within 30 days. This is without prejudice the applicant seeking additional costs at the hearing of the application.

Additional pages attached: ☐ Yes ☐ No

August 04

, 2026

Date of Endorsement (*Rule 59.02(2)(c)(ii)*)



Signature of Judge/Associate Judge (*Rule 59.02(2)(c)(i)*)