

FEDERAL COURT OF CANADA
TRIAL DIVISION

1 issued pursuant to Section 224.1 of the Income Tax Act
2 on terms and conditions to be approved by the court.

3 I will direct the set off of costs as I am not
4 satisfied that the continued existence of the order

5 will cause irreparable harm to the Applicant. In order
6 Date: 2000-03-22 Joanna Louise Atchim, a duly sworn Official Examiner in and
7 for the Province of Manitoba, do hereby certify that the

8 5 stay of the set off order is a stay; is that
9 correct? DOCKET: T-568-00

10 BETWEEN: ROGHELE MOSS and
11 stenomask recording to the best of my skill and ability;

12 following decision. Number one, the issue
13 with respect to the evidence and proceedings as taken by me in

14 believe that costs. Cost isn't his duty, well, it's correct, in the
15 the cause. So that I believe counsel dispenses with
16 the items that I was asked to deal with today.

17 PLACE OF HEARING: WINNIPEG, MANITOBA, MOSS
18 Pursuing that. You're just looking for a stay; is that

19 correct? DATE OF HEARING: Thank you both counsel for preparing and it
20 WEDNESDAY, MARCH 22, 2000 Applicant

21 REASONS FOR ORDER AND ORDER DATED: 11/13/2000 A.D. 2000
22 was short notice for both of you and thank you for your
23 arguments. need short notice to have that issue
24 considered today. THURSDAY, APRIL 13, 2000
25 (Adjourned at 3:08 p.m.)

26 APPEARANCES: Andrew THE COURT: Okay. Well, I'll deal with
27 Respondent both. The issue with respect to short
28 notice I thought FOR

29 Jeff FOR
30 had been abandoned when you indicated all we were
31 Let the attached certified transcript of my Reasons for Order and Order delivered
32 SOLICITORS OF RECORD: as a stay. If it is not, I would like to grant
33 the short leave request pursuant to the Federal Court
34 orally from the Bench at Winnipeg, Manitoba on March 22, 2000, do filed to comply with
35 are complicated and in this case the Respondent should
36 BB Johnson Dorfman Sweetman Toronto
37 section 51 of the Federal Court Act. Dominion Centre 2200-201 Portage Avenue
38 allowed by the Winnipeg, Manitoba. the steps
39 order to allow the court to properly deal with the
40 issues that are raised in the request to set aside the
41 statutory set off which is the main matter.

42 FOR APPLICANT

43 24 Issue number two is with respect to the stay.
44 Regional Office 301-310 Broadway A. O'Keefe"
45 Winnipeg, Manitoba

46 I've been asked to stay the set off order, that it was
47 Toronto, Ontario April 13, 2000

48 FOR RESPONDENT