Endorsement Record
(Main Action)

Page

File Clam No. TO-89522-03

CMJ : NOT KNOWN YET

Amount of Claim $ 3,800.00

File Transmission List No.

Plaintiff: MADELEINE GRANDE
Sol/Agent: DOMINIC CAMPIONE
Address: 1110 FINCH AVENUE WEST, STE 800
TORONTO, ONTARIO M3J 2T2
(416)665-8133

Defendant: DOMINIC CARCHIDI
Address:

Date Claim Filed: Nov 20, 2003

Date Claim Served:

Date:	Orders:
May 28/04	ASSESSMENT Campione & for plaintiff. Judgment for plaintiff for $4604.96. Costs of assessment to 262.90. Counsel fee $250.00.
	Judgment against Dominic Carchidi AKA Domenic Carchidi.
July 11/05	Garnishee hearing July 28/05
	Bp. J. Freeman. 303 a.
July 25/05	Garnishee proceeding
	Mr D. Campione counsel for pl. (Exhibit filed)
	Judgment for the Plaintiff against the Garnishee, Home Loans Canada for $5388.14 (plus accrued interest) plus additional court costs incurred by the Plaintiff and the cost of the notice of garnishment plus counsel fee of $300.00
	D. Rieder D.J.

Superior Court of Justice
Cour supérieure de justice

Plaintiff's Claim
Demande du demandeur

Form/*Formule* 7A Ont. Reg. No./*N° du règl. de l'Ont.* : 258/98

Claim no. / *N° de la demande*
T89522/03

C10203-03

Sealed/*Scellé*

Toronto / Toronto

Small Claims Court / *Cour des petites créances de*
47 Sheppard Ave. East, 3rd Floor

Address / *Adresse*
Toronto, Ontario M2N 5N1

(416) 326-3554

11/20/2003 2:27PM 000007 #4189
**** LUGNA
#89522
Claim $50.00
CHEQUE $50.00

Plaintiff No. 1 / *Demandeur N° 1*

Full name / *Nom et prénoms* GRANDE, Madeleine	
Address for service (street & number, city, postal code) *Domicile élu (numéro et rue, ville, code postal)* 109 Heatherside Drive Toronto, Ontario M6L 1X3	
Phone no. *Numéro de téléphone* 416 497-3071	Fax no. (if any) *Numéro de télécopieur (le cas échéant)*
Plaintiff's Lawyer/Agent (Full name) *Avocat/mandataire du demandeur (nom et prénoms)* Dominic Campione	
Lawyer/Agent's address for service (street & number, city, postal code) *Domicile élu de l'avocat/du mandataire (numéro et rue, ville, code postal)* 1110 Finch Avenue West, Suite 800 Toronto, Ontario M3J 2T2	
Lawyer/Agent's phone no. *Numéro de téléphone de l'avocat/du mandataire* 416 665-8133	Lawyer/Agent's fax no. (if any) *Numéro de télécopieur (le cas échéant)* 416 665-5752

Plaintiff No. 2 (if applicable) / *Demandeur N° 2 (le cas échéant)*

Full name / *Nom et prénoms*	
Address for service (street & number, city, postal code) *Domicile élu (numéro et rue, ville, code postal)*	
Phone no. *Numéro de téléphone*	Fax no. (if any) *Numéro de télécopieur (le cas échéant)*
Plaintiff's Lawyer/Agent (Full name) *Avocat/mandataire du demandeur (nom et prénoms)*	
Lawyer/Agent's address for service (street & number, city, postal code) *Domicile élu de l'avocat/du mandataire (numéro et rue, ville, code postal)*	
Lawyer/Agent's phone no. *Numéro de téléphone de l'avocat/du mandataire*	Lawyer/Agent's fax no. (if any) *Numéro de télécopieur (le cas échéant)*

RECEIVED/REÇU
SUPERIOR COURT OF JUSTICE
COUR SUPÉRIEURE DE JUSTICE
2003 NOV 20 P 2:23
TORONTO
SMALL CLAIMS COURT
COUR DES PETITES CRÉANCES

Defendant No. 1 / *Défendeur N° 1*

Full name / *Nom et prénoms* Dominic Carchidi	
Address for service (street & number, city, postal code) *Domicile élu (numéro et rue, ville, code postal)* 475 Rustic Road Toronto, Ontario M6L 1X3	
Phone no./ *Numéro de téléphone* 416 242-2670	Fax no. (if any) *Numéro de télécopieur (le cas échéant)*
Defendant's Lawyer/Agent (Full name) *Avocat/mandataire du défendeur (nom et prénoms)*	
Lawyer/Agent's address for service (street & number, city, postal code) *Domicile élu de l'avocat/du mandataire (numéro et rue, ville, code postal)*	
Lawyer/Agent's phone no. *Numéro de téléphone de l'avocat/du mandataire*	Lawyer/Agent's fax no. (if any) *Numéro de télécopieur (le cas échéant)*

Defendant No. 2 (if applicable) / *Défendeur N° 2 (le cas échéant)*

Full name / *Nom et prénoms*	
Address for service (street & number, city, postal code) *Domicile élu (numéro et rue, ville, code postal)*	
Phone no./ *Numéro de téléphone*	Fax no. (if any) *Numéro de télécopieur (le cas échéant)*
Defendant's Lawyer/Agent (Full name) *Avocat/mandataire du défendeur (nom et prénoms)*	
Lawyer/Agent's address for service (street & number, city, postal code) *Domicile élu de l'avocat/du mandataire (numéro et rue, ville, code postal)*	
Lawyer/Agent's phone no. *Numéro de téléphone de l'avocat/du mandataire*	Lawyer/Agent's fax no. (if any) *Numéro de télécopieur (le cas échéant)*

Note: For additional defendants, please list on attached sheet with all the necessary information as requested above.
Rem. : *S'il y a d'autres défendeurs, veuillez indiquer leurs noms et tous les renseignements demandés ci-dessus sur une feuille séparée.*

TO THE DEFENDANT(S) / *AU(X) DÉFENDEUR(S) :*

The plaintiff claims from you $ 3,800.00 (amount of claim / *montant de la demande*) plus $ 607.76 (interest claimed to date (if any) / *intérêts réclamés à ce jour (le cas échéant)*) $

Le demandeur vous demande $ *plus*

and costs for the reason(s) set out below.

ainsi que des dépens, pour le/les motif(s) énoncé(s) ci-dessous.

The plaintiff further claims from you pre-judgment interest and post-judgment interest in accordance with the *Courts of Justice Act.*

Le demandeur vous demande également des intérêts antérieurs et postérieurs au jugement conformément à la Loi sur les tribunaux judiciaires.

You may attend at the nearest Small Claims Court to obtain the "How to Make Small Claims Court Work for You" booklet as well as "Your Guide to Making a Defence."

Vous pouvez obtenir la brochure Comment profiter pleinement de la Cour des petites créances *de même que le* Guide sur la défense *auprès de la Cour des petites créances la plus proche.*

IF YOU DO NOT FILE A DEFENCE WITH THE COURT WITHIN TWENTY (20) CALENDAR DAYS AFTER YOU RECEIVED THIS CLAIM, JUDGMENT MAY BE ENTERED AGAINST YOU.

JUDGMENT MAY BE ENTERED WITHOUT FURTHER NOTICE TO YOU.

SI VOUS NE DÉPOSEZ PAS DE DÉFENSE AUPRÈS DU TRIBUNAL AU PLUS TARD VINGT (20) JOURS CIVILS APRÈS AVOIR REÇU LA PRÉSENTE DEMANDE, UN JUGEMENT PEUT ÊTRE INSCRIT CONTRE VOUS SANS AUTRE AVIS.

TYPE OF CLAIM / *NATURE DE LA DEMANDE*

☐ Unpaid Account *Compte impayé*	☒ Promissory Note *Billet*	☐ Damage to Property *Dommages causés à des biens*
☐ Contract *Contrat*	☐ Services Rendered *Services rendus*	☐ Lease *Contrat de location*
☐ Motor Vehicle Accident *Accident de véhicule automobile*	☐ N.S.F. Cheque *Chèque sans provision*	☐ Other _____ *Autre*

REASONS FOR CLAIM AND DETAILS / *MOTIFS DE LA DEMANDE ET PRÉCISIONS*

Explain what happened, where and when **and** the amounts of money involved.

*Expliquer ce qui est arrivé, indiquer le lieu et le moment de l'incident **et** préciser les sommes d'argent en cause.*

1. The Plaintiff's Claims from the Defendant the following:

a) $3,800.00 for monies due and owing to the Plaintiff pursuant to a Promissory Note.

b) Interest at 10% from April 18, 2002 to date of payment.

c) Post-judgment interest.

d) Costs on a substantial indemnity basis.

2. The Plaintiff is an individual who resides in the City of Toronto.

3. The Defendant is an individual who resides in the City of Toronto.

4. The Plaintiff loaned the sum of $3,800.00 to the Defendant, pursuant to a Promissory Note which the Defendant agreed to pay in full on or before April 15, 2002. Attached hereto is a copy of the Promissory Note executed by the Defendant.

5. Notwithstanding numerous demands made by the Plaintiff the Defendant, did not make payment on April 15, 2002.

6. The Defendant agreed to make payment of interest to the Plaintiff of 10% per annuam on the full amount due, being $3,800.00. The amount of ~~$607.76 represents interest calculated at 10% from April 15, 2002 to November 20, 2003.~~

~~7. The Plaintiff has made written demands for payment to the Defendant and notwithstanding same and the Defendnt's assurances and agreement to~~ make payment of $3,800.00 plus interest at 10 % the Defendant has ~~failed to do so. Attached hereto are copies of demand letters dated January 8, 2003 and February 10, 2003 for payment and letter dated March 25,~~ 2003 confirming the Defendant's Agreement to make payment in full plus interest.

8. The Plaintiff claims interest at 10% per cent per annum on the full amount being claimed of $3,800.00 as well as post-judgment interest.

9. The Plaintiff further claims costs as against the Defendant on a substantial indmenity basis.

If more space is required, attach separate sheet(s)./*Si vous avez besoin de plus d'espace, annexez une feuille supplémentaire.*

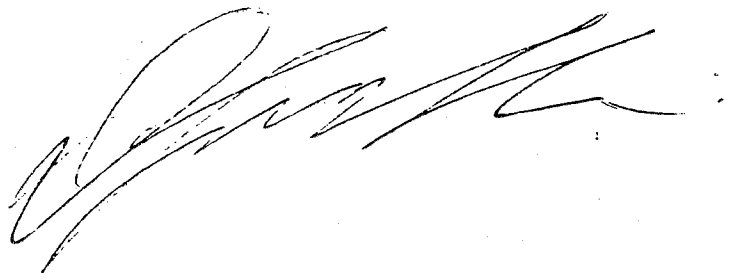
If the claim is based in whole or in part on a document(s), **you must attach** a copy of the document(s) to the claim, or if the document(s) is lost or unavailable, **you must explain** why it is not attached in the space provided below.

*Si la demande est fondée en tout ou en partie sur un document, **vous devez annexer** une copie de celui-ci à la demande. Si le document est perdu ou n'est pas disponible, **vous devez expliquer** ci-dessous pourquoi il n'est pas annexé.*

Nov 20, 2003
(Date)

(Signature of clerk/*Signature du greffier*)

I DOMENIC CARCHID, PROMISE TO PAY BACK TO MADELENE GRANDE THE AMOUNT OF $ DC 3,800 CDN. DOLLAR'S NO LATER THAN ~~FEB 28~~/2002. APRIL 15/2002.



Mrs. Madeleine Grande
109 Heatherside Drive
Toronto, ON M1W 1T6

Mr. Dominic Carchidi
475 Rustic Road
Toronto, ON M6L 1X3

Urgent and Delivered by Hand January 8, 2003

January 7,2003

Dear Mr. Carchidi,

I was advised by my lawyer to give you a written notice that I shall proceed with court action unless you pay me by January 15, 2003 the sum of $4,085.03 by certified cheque.This amount constitutes the face value of the Promisory Note(copy attached) of $3,800 plus interest of 10% from April 15, 2002 to January 15, 2003. Time is of essence.

Yours truly,

Madeleine Grande

CAMPIONE & VATURI
BARRISTERS & SOLICITORS

1110 Finch Avenue West, Suite 400
North York, Ontario, M3J 2T2

MAURICE VATURI, B.A.LL.L.,LL.B.
DOMINIC CAMPIONE, B.A.,LL.B.

Telephone: (416) 665-8133
Facsimile: (416) 665-5752

IN ASSOCIATION

c10203-03
February 10th, 2003

WITHOUT PREJUDICE
Mr. Dominic Carchidi
475 Rustic Road
Toronto, Ontario
M6L 1X3

Dear Mr. Carchidi:

RE: COLLECTION / D. CARCHIDI

Please be advised that I am the solicitor for Mrs. Madeleine Grande with respect to the collection of certain monies due and owing to her.

I am informed that you executed a promissory note for the sum of $3,800.00 and to be paid by April 15, 2002. The total amount owing with interest as per my client's last correspondence to you is $4,085.03 ($3,800.00 plus interest at 10% percent) from April 15th, 2002 to January 15, 2003). Notwithstanding requests by my client and your assurances to make full payment my client has not received payment.

Please be advised that in the event certified funds or cash is not received by my office within fourteen (14) days of the date of this letter and / or satisfactory arrangements are made for payment on or before the aforesaid date, my client is left with no other alternative but to commence legal proceedings.

Please be further advised that in the event that my client commences legal proceedings prejudgment interest at 10% percent from April 15th, 2002 shall be claimed pursuant to the Courts of Justice Act, R.S.O. 1990 as amended of which this letter shall constitute appropriate notice. Furthermore, we shall also be claiming costs on a solicitor client basis.

Last but not least it is my client's wish that this matter be amicably resolved without the necessity of commencing legal proceedings and thereby avoid further costs. Thus I trust that you will give this matter your immediate attention.

Yours very truly,
CAMPIONE & VATURI

DOMINIC CAMPIONE

DC/mp
c.c. Mrs. Grande

CAMPIONE & VATURI
BARRISTERS & SOLICITORS

1110 Finch Avenue West, Suite 400
North York, Ontario, M3J 2T2

MAURICE VATURI, B.A.LL.L.,LL.B.
DOMINIC CAMPIONE, B.A.,LL.B.

Telephone: (416) 665-8133
Facsimile: (416) 665-5752

IN ASSOCIATION

C-10203-03
March 25, 2003

file

Mr. Dominic Carchidi
475 Rustic Road
Toronto, Ontario
M6L 1X3

Dear Mr. Carchidi:

RE: COLLECTION / D. CARCHIDI

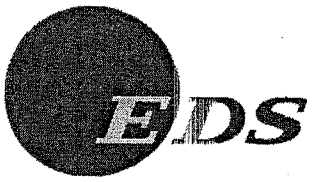
This letter shall confirm my telephone conversation with you on March 19, 2003 wherein you acknowledged receipt of my letter of February 10, 2003 and have agreed to make payment by way of certified cheque in the amount of $4,085.03 payable to Dominic Campione, in Trust on or before April 15, 2003.

We await receipt of the above certified funds and hope this matter will be amicably resolved.

Yours very truly,
CAMPIONE & VATURI

DOMINIC CAMPIONE

C:\MYDOCU~1\MYCLIE~1\GRANDE.LET
c.c. Mrs. Grande



EDS-CIBC Global HR/Payroll
90 Sheppard Avenue East
5th Floor
North York, Ontario
M2N 3A1

March 28, 2005

Campione Vaturi /Dominic Campione
1110 Finch Avenue West,
Suite 800
North York
Ontario
M3J 2T2

RECEIVED MAR 3 0 2005
1:30

Dear Sirs:

RE Grande v.Carchidi
Toronto Small Claims Court Claim No.T89522/03

We are enclosing and returning the above notice of Garnishment to your attention as this individual has an existing garnishment from Canada Customs and Revenue Agency .There is also a second one from the Ontario Superior Court of Justice which is pending and has been returned as well for reason non payment.

Therefore C.I.B.C will not be remitting funds.

John Gill
Executive Payroll Advisor
HR Services Centre
EDS Canada Inc.
Suite 500
90 Sheppard Avenue East
Toronto,Ontario M2N 3A1
Phone:416-512-3920 ext.25726
Fax 416-512-5155
john.gill@eds.com