

July 17, 2013

This matter was heard with respect to a cross-application in File No. 01-2687/12. The applicant seeks to have the respondent's notice of objection struck. D. Noseworthy appeared on behalf of the applicant E. Toth and Mark Wilson, respondent and objector is acting on own behalf. The applicant has persuaded me that Mr. Wilson has no financial interest in the estate and is not eligible for dependant's relief under the S.L.R.A. Further, he was not related to the deceased. For these reasons, Mr. Wilson has no standing to file a notice of objection. The application is allowed and the relief sought by the respondent in the cross-application is dismissed. The applicant, E. Toth is entitled to her costs of \$5,000.00 inclusive of taxes and disbursements, payable forthwith.

Whitaker, J.

IN THE ESTATE OF VICTOR GEORGE TOTTH, deceased.
ETTA TOTTH (Also known as ETHEL TOTTH)
Applicant/Moving Party

-and-

MARK WILSON
Respondent/Responding Party
Court File No. 01-2687/12

JULY 17/13

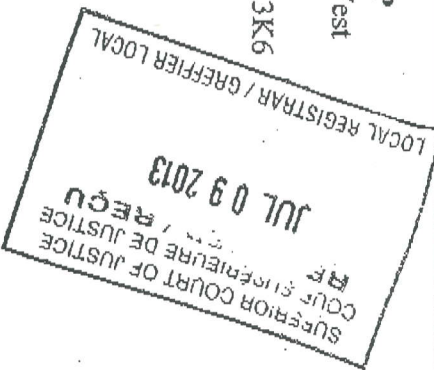
July 14, 2013. This matter was heard with a cross application in File No. 01-2687/12. The applicant seeks to have the respondent's order of judgment struck. B. Noseworthy appears on behalf of the applicant ETTA and Mark Wilson, respondent appears on his own behalf. The applicant has persuaded me that Mr. Wilson has no financial interest in the estate and is not eligible for dependent's relief under the S.C.R.A. Further, he was not named in the decedent's will. For these reasons, the Mr. Wilson has no standing to file a notice of objection. The objection is allowed and the relief sought by the respondent on the cross-application is dismissed. The applicant ETTA is entitled to her cash of \$5000 in addition of fees and disbursements, payable forthwith.

WLLT

ONTARIO
SUPERIOR COURT OF JUSTICE
PROCEEDINGS COMMENCED AT TORONTO

FACTUM OF THE APPLICANT/
MOVING PARTY

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FAX COVER SHEET

DATE: July 17, 2013

TO: MR. D. NOSEWORTHY

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NO. OF PAGES (INCLUDING COVER SHEET): 2

FROM: N. Porzund per WHITAKER J.
Civil Staffing Office

COMMENTS:

RE: ESTATE OF VICTOR GEORGE TOIN
01-2687/12

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