

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

**IN THE ESTATE OF VICTOR GEORGE TOTH, deceased**

**THE HONOURABLE MR.** ) Wednesday, the 17<sup>th</sup> day of  
 )  
**JUSTICE WHITAKER** ) July, 2013



ETTA TOTH ( Also known as ETHEL TOTH) in her personal capacity and in her capacity as Executrix and Trustee of the Estate of Victor George Toth, deceased

Applicant  
(Moving Party)

- and -

MARK WILSON

Respondent  
(Responding Party)

**ORDER**

**THIS MOTION**, made by the Applicant for an order removing the certificate of objection of the Respondent Mark Wilson, and the Respondents' cross-motion for directions, were heard this day at the courthouse at 393 University Avenue, Toronto, Ontario.

**ON READING** the Notice of Motion, the Affidavit of Etta Toth affirmed December 6, 2012, the Affidavit of Jim Knopp affirmed May 14, 2013, the Affidavits of Mark Wilson sworn January

31, 2013, and July 4, 2013 and the Affidavit of Samuel Wilson sworn January 31, 2013, and upon hearing submissions of counsel for the Applicant and of Mark Wilson attending in person:

1. **THIS COURT ORDERS** that the Notice of Objection filed by Mark Wilson be and is hereby struck;

2. **THIS COURT ORDERS** that the cross-motion of Mark Wilson be and is hereby dismissed; and

3. **THIS COURT ORDERS** that the costs of this Motion are to be paid by Mark Wilson to Etta Toth fixed in the amount of \$5,000 inclusive of taxes and disbursements, payable forthwith;

**THIS ORDER BEARS INTEREST** at the rate of 3% per year commencing on this date.

ENTERED AT / INSCRIPT À TORONTO  
ON / BOOK NO:  
LE / DANS LE REGISTRE NO.:

SEP 13 2013

AS DOCUMENT NO.:  
A TITRE DE DOCUMENT NO.:

PER / PAR:



**C. CHIBA**  
REGISTRAR, SUPERIOR COURT OF JUSTICE  
GRAPPEUR ADJOINT, COUR SUPÉRIEURE DE JUSTICE

**IN THE ESTATE OF VICTOR GEORGE TOTH, deceased.**

**ETTA TOTH (Also known as ETHEL TOTH)**  
Applicant/Moving Party

-and-

**MARK WILSON**  
Respondent/Responding Party

Court File No. 01-2687/12

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**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**  
PROCEEDINGS COMMENCED AT TORONTO

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**ORDER**

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Lawyers for Etta Toth