

COURT FILE NO.:

CV-25-00000231-0000

DATE: 2026-03-05

**SUPERIOR COURT OF JUSTICE – ONTARIO**

491 Steeles Avenue East, Milton ON L9T 1Y6

**RE:** Mitchell William Taylor, Ncmh Holdings Inc., Jonathan D. Ursini, Dennis M. Cassidy, 2354981 Ontario Inc., Sonya Victoria, Wey Lun Jimmy Kao, Christopher Viegas, 2622256 Ontario Ltd., Markian Bohdan Ostapiak, Kaitobana Holdings Inc., Malcolm Paul, Carlyn Margaret Vansickle, Michael Tkach, Peter Giannou, Mathew Frank Marino, Scott Ripper, Mark Hanaka, Colleen Roch-Hanaka, Emily Philomena Roch Hanaka, Elzbieta Rice, Timothy J. Rice, Christopher Meredith Hinchcliffe, Zsuzsanna Martha, Andras Kasza, Annabella Mike-Ebeye, Florentin Von Frankenberg, Monique Biancucci, Danielle S. Biancucci, Gina Sanelli, Swetha Vishwanath And Dwayne Lindsay Harvey and Belmira Victoria, plaintiffs

**AND**

Jennifer Graham, Denis Ivan Vrancic, 260 Robinson St. Inc. and 311-300 Randall Street Inc., Defendants

**BEFORE:** Associate Justice Glick

**COUNSEL:** Nicole Taylor and Vadim Kats, for all the plaintiffs  
Jennifer Vrancic, for the defendant Denis Ivan Vrancic

**HEARD:** March 5, 2026, Via Video (ZOOM)

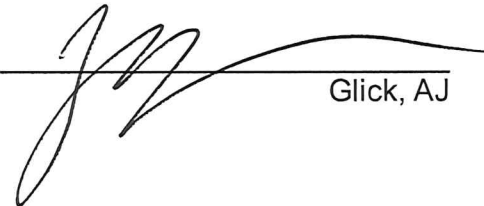
**ENDORSEMENT**

- [1] This is a motion by the Plaintiffs for leave to admit the Affidavit of Mitchell Taylor, sworn February 5, 2026 pursuant to Rule 39.02. The affidavit is in aid of the Plaintiffs' Maerava injunction motion, currently scheduled for March 30, 2026 for a half day.
- [2] With the exception of one event which allegedly happened on October 23, 2025, the affidavit in question deals with events which have allegedly taken place since Mr Taylor swore his last affidavit on October 27, 2025. Cross-examinations have been completed on November 17, 2025 which is why leave is required under 39.02.

- [3] The Defendants oppose this motion. They raise the conduct of the proceeding to date by the Plaintiffs. The Defendants say that the test under 39.02 has not been met. If leave is granted, they request an adjournment of the motion and an opportunity to respond to the affidavit and cross-examine Mr. Taylor.
- [4] Having regard to the submissions and the materials, I find that the Plaintiff has satisfied the test under 39.02 and that the affidavit of Mr. Taylor ought to be admitted. The evidence is relevant, it responds to a matter dealt with in cross-examination which arose after cross-examination, granting leave would not result in non-compensable prejudice and there is a reasonable explanation for why the evidence could not have been included at the outset.
- [5] The Defendants have asked for leave to file responding material to address the new issues raised in Mr. Taylor's February 5, 2026 affidavit. The Defendants are granted leave to do so. The parties are also granted leave to conduct cross-examinations. Any responding affidavit and cross-examinations are to be confined to the issues raised in Mr. Taylor's February 5, 2026 affidavit only.
- [6] The Defendants have requested an adjournment of the March 30, 2026 motion date to allow for the completion of the steps outlined above. I deny that request. My decision is informed by the Affidavit of Mr. Taylor which alleges a dissipation of assets in advance of the Maerava injunction. While those allegations may not be borne out, they weigh against an adjournment. The Defendants have also had the affidavit since at least February 18, 2026.
- [7] I therefore Order that the timetable for the steps set out in paragraph 5 above is as follows:
- a. The Defendants' responding affidavit is due on March 18, 2026.
  - b. Cross-examinations, if any, are to be conducted by March 23, 2026.

c. The new affidavits and any transcripts of cross-examinations are to be filed with the Court by March 26, 2026.

[8] Costs of today's appearance are reserved to the hearing of the motion on March 30, 2026.



Glick, AJ