

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE JUSTICE) FRIDAY, THE 3rd
)
DINEEN) DAY OF MARCH, 2023

B E T W E E N:

BRADLEY COURT LIMITED

Plaintiff/Defendant by Counterclaim

- and -

CHRISTOPHER TINKASIMIRE

Defendant/Plaintiff by Counterclaim

ORDER

THIS MOTION made by the Defendant/Plaintiff by Counterclaim Christopher Tinkasimire (the “**Moving Party**”) for summary judgment dismissing the claim of the Plaintiff/Defendant by Counterclaim, Bradley Court Limited (the “**Responding Party**”), was heard this day by video conference.

ON READING the Motion Record and Factum of the Moving Party and on hearing the submissions of Mr. Tinkasimire and of counsel for Bradley Court Limited,

1. **THIS COURT ORDERS** that the defendant’s motion for summary judgment is dismissed, without costs to either party. Each party shall bear their own costs in respect of the defendant’s motion for summary judgment.
2. **THIS COURT ORDERS** that Bradley Court Limited's claim against the defendant, Mr. Tinkasimire, is dismissed.

3. **THIS COURT ORDERS** that Mr. Tinkasimire is entitled to have his costs of Bradley Court Limited's action assessed by a Registrar pursuant to Rule 58 of the Rules of Civil Procedure, however, any costs awarded to Mr. Tinkasimire shall be set off against the costs Mr. Tinkasimire is required to pay to Bradley Court Limited pursuant to the February 9, 2023 Reasons for Decision of Associate Justice Todd Robinson, dismissing Mr. Tinkasimire's October 14, 2022 motion.



Dineen J.