

CITATION:		
ONTARIO SUPERIOR COURT OF JUSTICE (TORONTO REGION) CIVIL ENDORSEMENT FORM <i>(Rule 59.02(2)(c)(i))</i>		
BEFORE	Judge/Case Management Master Mr. Justice Koehnen	Court File Number: CV-25-00744994-0000
Title of Proceeding: FACILITY CARE SOLUTION PROVIDERS INC. Applicant (s) vs. BRUNO DOMENICO SCIDA also known as DOMENIC SCIDA and ANTONIETTA SCIDA Respondent (s)		

Case Management: ☐ Yes If so, by whom:	X No
---	-------------

Participants and Non-Participants: *(Rule 59.02(2)(vii))*

Party	Counsel	E-mail Address	Phone #	Participant (Y/N)
1) Applicant	Dora Konomi	dkonomi@tcwalkerlawyers.com		Y
2) Respondents	Jonathan Rosenstein	jrosenstein@rosensteinlaw.ca		Y
3) Respondent	Ari Gaertner/ Naveera Bhatti/Karen J. Sanchez Lawyers for Marco Scida and for all Seasons	arie@gaertnerbaron.com naveera@gaertnerbaron.com karen@gaertnerbaron.com		
4) Respondent	Nafisah Chowdhury Lawyer for Pierre-Marc Laforest in His Personal Capacity	nchowdhury@millerthomson.com		

Date Heard: <i>(Rule 59.02(2)(c)(iii))</i> July 7, 2025

Nature of Hearing (mark with an "X"): <i>(Rule 59.02(2)(c)(iv))</i>									
☐	Motion	☐	Appeal	☒	Case Conference	☐	Pre-Trial Conference	☐	Application

Format of Hearing (mark with an "X"): *(Rule 59.02(2)(c)(iv))*

☐ In Writing ☐ Telephone ☒ Videoconference ☐ In Person

If in person, indicate courthouse address:

Relief Requested: *(Rule. 59.02(2)(c)(v))*

Directions about the removal of equipment from 12840 10th Concession Rd., Kleinburg, Ontario

Disposition made at hearing or conference (operative terms ordered): *(Rule 59.02(2)(c)(vi))*

1. The Applicant shall be entitled to remove all equipment at the premises at 12840 10th Concession Rd., Kleinburg, Ontario on 72 hours notice to the respondents and to 4 Seasons Solution Providers Inc.
2. The respondents and 4 Seasons Solution Providers Inc. shall be entitled to observe and record the removal of the equipment.
3. The applicant shall be entitled to use the equipment in its own business but shall not dispose of or transfer the equipment without further order of the court.
4. That this order is without prejudice to the right of anyone to bring a subsequent motion for the release of some or all of the equipment to that moving party if it is able to satisfy the court that it is entitled to possession.

Brief Reasons, if any: *(Rule 59.02(2)(b))*

1. The applicant operates a landscaping business. It uses premises at 12840 10th Concession Rd., Kleinburg, Ontario (the “premises”) to store the equipment.
2. The applicant has two shareholders: Pierre-Marc Laforest and Marco Scida (“Marco”). Marco is the son of the owners of the premises. A dispute has arisen between the two shareholders.
3. Laforest advised the landlord that it would be terminating its month-to-month lease at the premises as of April 30, 2025. Laforest says that after that, the landlord refused to allow the applicant access to its equipment.
4. The landlord now brings an interpleader request with respect to the disposition of the equipment.
5. Marco says the equipment should remain in place because that would be the order that best preserves the status quo. Marco says another company of his, 4 Seasons Solution Providers Inc owns at least some of the equipment. There is no evidence before me in this regard. In response to that allegation, the applicant says it was leasing some of the equipment from 4 Seasons. In response to that, counsel for 4 Seasons says that the applicant was in default of the leases pursuant to which it was leasing the equipment from 4 Seasons. There is, however, no demand letter for any arrears of lease before me.
6. It strikes me that the best preservation of the status quo would be to allow the applicant to remove all of the equipment from the premises. It appears that the applicant was in possession of all of the equipment until the shareholders dispute between Laforest and Marco arose. The best preservation of the status quo would be to permit the applicant to remain in possession of that equipment.
7. Given that the landlord are the mother and father of Marco, having the equipment remain on their premises would only exacerbate the shareholder dispute.
8. The immediate status quo would be preserved by continuing to allow the applicant to be in possession of the equipment. I therefore order that the applicant be permitted to remove the equipment on 72 hours notice to the landlord and to 4 Seasons. The

landlord and 4 Seasons can attend the removal to record what equipment is being removed.

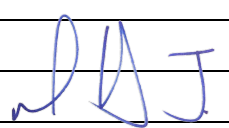
9. This order is without prejudice to the right of anyone to bring on an urgent motion to retrieve some of that equipment on a proper record that demonstrates their ownership of the equipment.

10. It also appears that a statement of claim has been issued by 4 Seasons on the Commercial List that overlaps with this application. I will be in touch with party shortly about how to address those two applications.

Additional pages attached: ☐ Yes ☒ No

Costs: On a N/A	indemnity basis, fixed at \$	are payable
by	to	[when]

July 7, , 20 **25**
Date of Endorsement (Rule 59.02(2)(c)(ii))


Signature of Judge/Case Management Master (Rule 59.02(2)(c)(ii))