



SUPERIOR COURT OF JUSTICE

COUNSEL SLIP

COURT FILE NO.: CV-11-00009062-00CL DATE: 22 July 2022

NO. ON LIST: 03

TITLE OF PROCEEDING: CASTILLO V XELA et al
BEFORE JUSTICE: MCEWEN

PARTICIPANT INFORMATION

For Plaintiff, Applicant, Moving Party, Crown:

Name of Person Appearing	Name of Party	Contact Info
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For Defendant, Respondent, Responding Party, Defence:

Name of Person Appearing	Name of Party	Contact Info

For Other, Self-Represented:

Name of Person Appearing	Name of Party	Contact Info
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ENDORSEMENT OF JUSTICE MCEWEN:

25 July 22

I conducted a case conference on July 22/27. At the case conference Mr. Gutierrez sought to schedule a motion to have KSV Restructuring Inc. recused as Receiver.

I declined to schedule the motion. I agree with the Receiver that the motion ought not to be scheduled when currently:

- ① Mr Gutierrez has not served a Notice of motion (although he has provided a draft);
 - ② costs remain outstanding (although he has promised to pay);
 - ③ a finding of civil contempt has been made against Mr Gutierrez by Justice Conway by way of her June 29/22 decision; and,
 - ④ significantly Mr Gutierrez has still, inexplicably, failed to comply with my production orders, lay outstanding, nor did he provide any explanation in his case conference brief for failing to do so, or at the hearing for that matter.
- This matter will return before me on Sept. 13/22 to review O/S issues and next steps.
1. As per Rule 60-12-

