

COURT OF APPEAL FOR ONTARIO

CITATION: Sutton v. Sutton, 2023 ONCA 94

DATE: 20230209

DOCKET: COA-22-CV-0290

Doherty, Zarnett and Sossin JJ.A.

BETWEEN

Alison Sutton

Applicant (Respondent)

and

Jason Sutton

Respondent (Appellant)

Jason Sutton, acting in person

Mercedes Ibghi and Tracy Garton, for the respondent

Heard: December 22, 2022

On appeal from the judgment of Justice Mary E. Vallee of the Superior Court of Justice, dated January 26, 2022, with reasons reported at 2022 ONSC 630, and from the costs order, dated April 11, 2022.

COSTS ENDORSEMENT

[1] In reasons released January 12, 2023, we dismissed the appeal and motion to introduce fresh evidence brought by the appellant, Jason Sutton, and requested written submissions on costs, specifying timelines for those submissions: 2023 ONCA 16, at para. 26. The respondent, Alison Sutton, filed submissions; the appellant did not.

[2] We fix the costs of the appeal and motion for fresh evidence, including the proceedings in the Divisional Court, on a partial indemnity basis in the sum of \$17,000 inclusive of disbursements and applicable taxes. That amount is payable by the appellant to the respondent.

“Doherty J.A.”
“B. Zarnett J.A.”
“L. Sossin J.A.”