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COURT OF APPEAL FOR ONTARIO

**RE: YUYING WANG LI, GUANGSHU LI, GUANGXIA LI, AND
GUANGHWA LI (Appellants) – and – NINA LI, KIKI LI, AND
KAREN LI (Respondents)**

BEFORE: GOUDGE, SIMMONS AND JURIANSZ J.J.A.

COUNSEL: Yuying Wang Li, in person

**Valois P. Ambrosino and Antonette Barretto
for the respondent**

**HEARD &
ENDORSED: April 29, 2004**

**On appeal from the judgment of Justice Gerald Day of the Superior Court of Justice
dated November 13, 2003.**

A P P E A L B O O K E N D O R S E M E N T

[1] The only appeal before us today is from the order of Justice Day which dismissed in its entirety the application of the appellants for failure to post the security for costs ordered by Justice Greer.

[2] There is nothing in the material before us to suggest any error in the order of Justice Day. The security for costs required by Justice Greer was not provided and as a result Justice Day had no choice except to dismiss the application.

[3] Before us the appellants assert as they did before Justice Greer that Mrs. Li is the only lawful wife of the deceased. That is not an issue which we can address in this appeal. This appeal is confined to Justice Day's order which was based on the failure to pay security for costs.

[4] The appeal must be dismissed with costs fixed at \$5,000.