

**DATE: 20040916**  
**DOCKET: C41603**

**COURT OF APPEAL FOR ONTARIO**

**RE:** **HEFFNER AUTO SALES AND LEASING INC.**  
**(Plaintiff/Respondent) – and – COMMUNITEQ SYSTEMS INC.,**  
**PETER A. STEVENS, RENTAL DIRECT INCORPORATED**  
**and CHARLES E. BROADWELL (Defendants/Appellant)**

**BEFORE:** **MACPHERSON, JURIANSZ JJ.A. and SPEYER J. (*ad hoc*)**

**COUNSEL:** **Gerald E. Taylor**  
**for the appellant**

**Anthony T. Keller**  
**for the respondent**

**HEARD &**  
**ENDORSED:** **September 15, 2004**

**On appeal from judgment of Justice Peter B. Hambly of the Superior Court of Justice dated February 26, 2004.**

**APPEAL BOOK ENDORSEMENT**

[1] We agree with the motions judge that this was a clear case of conversion. The appeal is dismissed.

[2] Costs to the respondent on a partial indemnity basis fixed at \$6,753.99, inclusive of disbursements and GST.