

SUPERIOR COURT OF JUSTICE



COURT FILE NO.
141-07

Nelson Barbados Group vs Richard Cox et al. **ENDORSEMENT**

~~HER MAJESTY THE QUEEN~~
Donald Best

Plaintiff:

COUNSEL: Naomi Lutes (agent for Mr. Greenspan)

~~ACCUSED:~~ Defendants: Cox et al.

COUNSEL: Gerald Rankin

Date: Dec 11/12 Mr. Best now unrepresented ①
Mr. Rankin is agent for Mr. Lutes -

1 Mr. Greenspan is ~~now~~ ^{now} named as Counsel of Record for Mr. Best. However as agreed by Mr. Greenspan he will hold Mr. Best's papers until Mr. Best retains new counsel

2 Mr. Best has now filed a Notice to Intervene to Act in Person

3 I am granting leave to Mr. Best to file his Affidavit and CD sworn ~~on~~ December 10 2012. If so advised the Respondents may file Reply within 20 days

4 I have already by Order dated November 16th 2012 struck Cross-examination

~~Re~~ Nelson Barbadas vs Cox et al

Date:

Dec 11/12

②

of Mr. Best to take place on January 11/13. Based on the Affidavit of Mr. Best and the various letters ^{attached} ~~submitted~~ to the official he ~~is~~ has been in contact of with the Law Society of Upper Canada Re Lawyer Refused Service. His difficulty in retaining a lawyer is apparent to relate to the degree of expense of the lawyer that he wants to ~~retain~~ as well as the requirement that the lawyer being he experienced in "malpractice". I am not satisfied that Mr. Best ~~is~~ cannot retain a lawyer as he suggests. ~~There~~ ~~is~~ The Application brought is to purge my contempt finding & set aside the Order. This is not a complicated ~~issue~~ issue.

As I explained to Mr. Best this application is not a re-litigation of the Nelson Barbadas vs Cox proceeding.

Therefore the cross-examination of Mr. Best shall proceed on January 11 2013 regardless of whether he retains counsel. ~~in~~ light of the further ~~material~~ filed by Mr. Best the cross-examination may ~~proceed~~ beyond beyond.

Mr. Rankin seeks an Order that Mr. Best Best pay the costs ordered January 15 2010 ~~by~~ ~~me~~

January 15/13

File #:

Inc./Occ. #:

R. vs. _____

(3)

Date:

or alternatively that the total amount of the costs
 \$ 63,862,96 be paid into court as a
 condition of the application proceeding... I
 believe Mr. Selzer made the same ~~applied~~ request
 at the a ~~post~~ prior adjournment.

Mr. Selzer will not provide any information
 concerning his present financial circumstances.
 I am not prepared today to deal with the
 outstanding costs award. Counsel
 however may ^{renew} ~~bring~~ the application after
 the cross-examination takes place.

All other terms of my Order of November 16/12
 continue.

Costs of today are reserved by ^{me} ~~the~~ ~~court~~ to
 the ~~end~~ date of disposition of this application.

[Redacted Signature]