



Date: 20140402

Docket: T-2067-13

Toronto, Ontario, April 2, 2014

PRESENT: The Honourable Mr. Justice Hughes

BETWEEN:

IZABELA POPOVA

Applicant

and

THE EMPIRE LIFE INSURANCE COMPANY  
AND MAUREEN WHEELER, MANAGER OF  
THE GROUP LIFE AND DISABILITY  
CLAIMS

Respondents

ORDER

UPON MOTION in writing dated March 10, 2014 on behalf of the Applicant and pursuant to Rule 369 of the *Federal Courts Rules*, for an Order:

1. Setting aside paragraphs 1, 2 and 4 of the Order of Prothonotary Martha Milczynski dated February 26, 2014;
2. Varying paragraph 3 (three) of the Order of Prothonotary Martha Milczynski, dated February 26, 2014, that the granted thirty (30) day extension of time for the Applicant to



serve her Rule 306 affidavits and documentary exhibits and file proof of service be effective as of the date of the ruling on this motion;

3. Granting Dimitre Popov, the Applicant's father, permission to act on behalf of and as a representative of the Applicant in these proceedings; and
4. Directing that the costs of the motion below shall be costs in the cause; and
5. Granting the Applicant its costs of this motion if the motion is opposed by the Respondents; or such other relief as the Court deems just and appropriate in the circumstances.

**AND UPON** reading the Motion Records filed by each party;

**AND UPON** noting that Respondents' solicitor has filed his own affidavit in this motion without seeking leave of the Court (Rule 82) therefore that affidavit will be ignored;

**AND UPON** determining that the matter is not vital to the determination of the issues, therefore the standard for appeal is deference;

**AND UPON** determining that the Court does not permit non-lawyers to represent parties in a proceeding;

AND UPON determining that the Applicant has not shown a proper basis, such as being a minor child or suffering a serious disability whereby a litigation representative could be appointed.

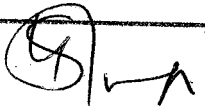
AND UPON determining that the Order under appeal is reasonable;

THIS COURT ORDERS that the motion is dismissed without costs.

“Roger T. Hughes”

Judge

I HEREBY CERTIFY that the above document is a true copy of the  
original issued out of / filed in the Court on the 22<sup>nd</sup>  
day of April A.D. 20 14  
Dated this 32<sup>nd</sup> day of April 20 14

  
YOGINDER GULIA  
REGISTRY OFFICER  
AGENT DU GREFFE