

**B E T W E E N:**

**SOCIETY OF COMPOSERS, AUTHORS AND  
MUSIC PUBLISHERS OF CANADA**

Plaintiff

- and -

**1041977 ONTARIO INC., carrying on business as CLUB ENERGY,  
DAVID BODANIS, ANTHONY GROSSI, JOHN DOE and JANE DOE**

Defendants

**REASONS FOR ORDER**

**GILES, A.S.P.:**

In the motion before me, judgment was sought against David Bodanis who had not filed a defence although served with the amended statement of claim.

It was unclear whether Anthony Grossi had been included as a defendant in the defence filed. If he had not, judgment should go against him in default of defence. If Anthony Grossi was included as a defendant the same orders applied to him as applied to the defendant limited company. Several paragraphs were struck from that defence which was otherwise allowed to remain only on the undertaking of counsel to supply particulars. At that time it was ordered that the defendant pay costs in the amount of \$700.00 and forthwith and before taking a further step.

Subsequently, leave was granted to file an amended claim. At that time it

was provided that a defence to the amended statement of claim be filed within 30 days and that it should incorporate the particulars undertaken to be supplied. The requirement to pay costs of \$700.00 before taking a further step was continued against the defendants.

Nothing has been done by the defendants and the solicitor for the corporate defendant has removed himself from the record. It is apparent at this stage that the rump of the statement of defence should be struck. That having been done judgment should be signed in default of defence. The total lack of cooperation by the defendants has complicated the sittings in this matter unduly and I think it reasonable to order double costs on a party and party basis.

\_\_\_\_\_  
"Peter A.K. Giles"

A.S.P.

Toronto, Ontario  
June 16, 1997

**FEDERAL COURT OF CANADA**

**Names of Counsel and Solicitors of Record**

COURT NO: T-363-96

STYLE OF CAUSE: SOCIETY OF COMPOSERS,  
AUTHORS AND MUSIC  
PUBLISHERS OF CANADA

- and -

1041977 ONTARIO INC., carrying  
on business as CLUB ENERGY,  
DAVID BODANIS, ANTHONY GROSSI,  
JOHN DOE and JANE DOE

CONSIDERED AT TORONTO, ONTARIO UNDER THE PROVISION OF RULE  
324.

REASONS FOR ORDER BY: GILES, A.S.P.

DATED: JUNE 16, 1997

**SOLICITORS OF RECORD:**

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1041977 ONTARIO INC.  
and ANTHONY GROSSI

Mr. David Bodanis  
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Solicitor for the Defendants

**FEDERAL COURT OF CANADA**

**Court File No.T-363-96**

**Between:**

**CANADA**

**SOCIETY OF COMPOSERS, AUTHORS  
AND MUSIC PUBLISHERS OF**

Plaintiff

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