

IN THE SUPREME COURT OF THE NORTHWEST TERRITORIES

IN THE MATTER OF the Companies Winding-Up Ordinance, being Chapter 14, of the Revised Ordinances of the Northwest Territories, 1974, and amendments thereto;

AND IN THE MATTER OF the winding-up of WILDE PROPERTY INVESTMENTS LTD.

B E T W E E N :

GEORGE MOSS

APPLICANT

AND:

WILDE PROPERTY INVESTMENTS LTD.

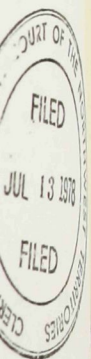
RESPONDENT

Application heard May 29th, 1978.
Fiat entered May 30th, 1978.
Application for security for costs granted.

Counsel on the Hearing:

Mr. E. Richard for the Applicant Wilde Property Investments Ltd.

Mr. Robert M.E. Wilson for the Respondent George Moss.



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RESPONDENT

F I A T

This is an application for security for costs.

The respondent George Moss does not reside in the Northwest Territories and has no property within the Northwest Territories.

Counsel for the respondent George Moss agreed that an order of security for costs should issue and undertook to have his client George Moss personally appear in the jurisdiction for an examination for discovery without payment of witness fees or conduct money. I accordingly took this undertaking into account


in fixing the amount of security to be given. As to the amount of security I find that \$1,000.00 would be appropriate having regard to all the circumstances.

I therefore order that the respondent George Moss give security for the defendant's (Wilde Property Investments Ltd.) costs of this action in the amount of \$1,000.00 by payment thereof to the Clerk of the Court or by bond therefor given to the defendant and approved by its solicitors or by the court.

I further order that, until the said security for costs is given, all further proceedings in this action are stayed. In default of such security being given within the time above limited, the respondent's (George Moss) action herein shall stand dismissed with costs without further order, unless the court on special application otherwise directs.

The costs of and incidental to this application shall be costs in the cause.

DATED at Yellowknife, in the Northwest Territories,
this 30th day of May, A.D. 1978.



J.S.C.

SC #4355

IN THE SUPREME COURT OF THE
NORTHWEST TERRITORIES

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Winding-Up Ordinance, being
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up of WILDE PROPERTY INVESTMENTS
LTD.

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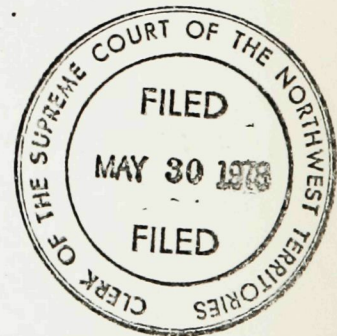
APPLICANT

AND:

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RESPONDENT

F I A T



IN THE SUPREME COURT OF THE NORTHWEST TERRITORIES

IN THE MATTER OF the Companies Winding-Up Ordinance, being Chapter 14, of the Revised Ordinances of the Northwest Territories, 1974, and amendments thereto;

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APPLICANT

AND:

WILDE PROPERTY INVESTMENTS LTD.

RESPONDENT

F I A T

Counsel have brought to my attention the fact that a fiat issued herein on May 30th, 1978 refers to a time limit for giving security but in fact no time limit is specified.

In checking over my notes I find that the time limit was omitted and page 2 of the fiat should in fact provide for a time limit in accordance with the terms set out in the attached page 2.

Under the circumstances leave is reserved to counsel to speak to the matter if deemed necessary.

DATED at the City of Yellowknife, in the Northwest

COURT OF THE NORTHWEST TERRITORIES
OF the Companies Winding-Up Ordinance, being Chapter 14, of the Revised Ordinances of the Northwest Territories, 1974, and amendments thereto;
AND IN THE MATTER OF the winding-up of WILDE PROPERTY INVESTMENTS LTD.
APPLICANT
AND:
WILDE PROPERTY INVESTMENTS LTD.
RESPONDENT
FIAT



Territories, this 13th day of July, A.D. 1978.

C.F. Tallis

C.F. TALLIS,
J.S.C.

Counsel on the Hearing: Mr. J. Edward Richard for the
Applicant Wilde Property Investments Ltd.
Mr. Robert M.E. Wilson for the Respondent
George Moss

in fixing the amount of security to be given. As to the amount of security I find that \$1,000.00 would be appropriate having regard to all the circumstances.

I therefore order that the respondent George Moss do within three months from the service of this order give security for the defendant's (Wilde Property Investments Ltd.) costs of this action in the amount of \$1,000.00 by payment thereof to the Clerk of the Court or by bond therefor given to the defendant and approved by its solicitors or by the court.

I further order that, until the said security for costs is given, all further proceedings in this action are stayed. In default of such security being given within the time above limited, the respondent's (George Moss) action herein shall stand dismissed with costs without further order, unless the court on special application otherwise directs.

The costs of and incidental to this application shall be costs in the cause.

DATED at Yellowknife, in the Northwest Territories,
this 30th day of May, A.D. 1978.

"C.F. Tallis"
J.S.C.

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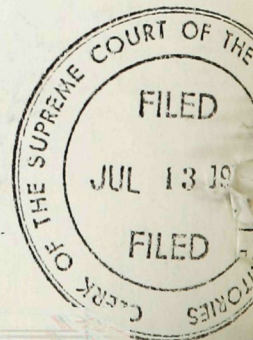
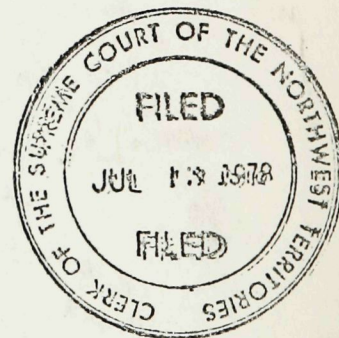
APPLICANT

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RESPONDENT

F I A T



Court Library

~~NWTSC 85~~

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RESPONDENT

F I A T

I have already granted an order for security for costs in this matter which contains a stay of proceedings until the said security for costs is given.

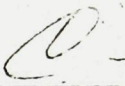
On the application in chambers before me there was also a request for an order staying action No. 4355 until after the determination of Supreme Court action 4228 which is an action for specific performance of an alleged agreement to sell certain shares. This action is brought by Wilde United Corporation Ltd. against George Moss.

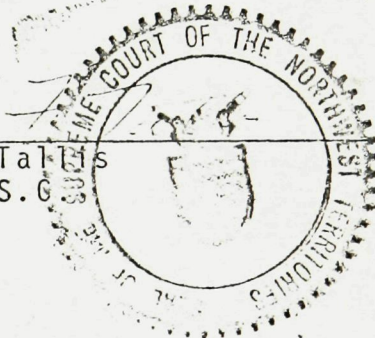
FILED
JUL 26 1978
CLERK OF THE SUPREME COURT

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JUL 26 1978
CLERK OF THE SUPREME COURT

I am not prepared to grant such a stay and accordingly the application for the same is dismissed. This application is dismissed without prejudice to the right of counsel to apply for an order directing that the various actions be tried together. In this connection I refer to the judgment of this court in Norwester Ltd. v. British Aviation Insurance Company Limited; Arny's General Stores Ltd. v. Reed Shaw Stenhouse Limited et al.; Magrum et al. v. Norwester Ltd. et al.; Moore et al. v. Norwester Ltd. et al. (1978) 4 Alberta Law Reports (2d) 133.

DATED at the City of Yellowknife, in the Northwest Territories, this 16th day of June, A.D. 1978.


C.F. Tait
J.S.G.



NO. 4355

IN THE SUPREME COURT OF THE
NORTHWEST TERRITORIES

B E T W E E N :

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AND:

WILDE PROPERTY INVESTMENTS

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