



**ONTARIO
SUPERIOR COURT OF JUSTICE
DIVISIONAL COURT**

THE HONOURABLE) FRIDAY, THE 9th DAY
JUSTICE W. D. BLACK)
) OF JUNE, 2023.

B E T W E E N:

1437619 ONTARIO LTD.

Appellant

and

YU GAO also known as OLIVIA GAO

Respondent

ORDER

THIS APPEAL made by the appellant, 1437619 Ontario Ltd., (“143 Ontario”) from the judgment of Deputy Judge Twohig of the Toronto Small Claims Court, dated December 5, 2022, was heard this day by video conference with the lawyers for both parties in attendance at Osgoode Hall, 130 Queen Street West, Toronto, Ontario.

ON READING the appellant’s notice of appeal, appeal book and compendium, exhibit book, factum, and book of authorities, and on reading the respondent’s compendium, factum, and book of authorities, and on hearing the submissions of the lawyers for both parties,

1. **THIS COURT ORDERS** that the appeal is allowed.

2. **THIS COURT FURTHER ORDERS AND ADJUDGES** that judgement of the deputy trial judge below awarding 143 Ontario the sum of \$8,400.00 is set aside and judgment in the amount of \$21,600 in favour of the appellant is granted.
3. **THIS COURT FURTHER ORDERS AND ADJUDGES** that the costs awarded below is set aside and the appellant is awarded costs below in the amount of \$3,000.00, payable by the respondent to the appeal.
4. **THIS COURT FURTHER ORDERS AND ADJUDGES** that costs of the appeal is fixed at \$8,000.00, on a partial indemnity basis and the respondent shall pay those costs to the appellant in addition to the costs below.

THIS ORDER BEARS INTEREST at the rate of 6 per cent per year commencing from

June 9, 2023
