

**Transcription of Endorsement of Deputy Judge Donald G. Kidd in Capital One Bank (Canada Branch) v. Dennis Eugene Schaus at Assessment December 16, 2010**

Judgment after submissions for \$14,884.71 and post judgment [sic] interest at 21.7%. This order is made pursuant to the binding decision of the Divisional Court in Capital One. V Matovska et al. Sept 4, 2007 and that court clearly determined that the pre-proceeding collection expenses even though contingent constituted a liquidated sum therefore being a liquidated demand for money that can be awarded as such by this court and I am bound by that decision as are the staff of this court and default judgment in these circumstances can be granted by court staff. Costs of today allowed at 350.00.

Transcribed December 20, 2010 by Todd R. Christensen

Superior Court of Justice  
Cour supérieure de justice

Endorsement Record/Order of the Court  
Fiche d'inscription/Ordonnance judiciaire

Guelph

SC-10-00000314-0000

Small Claims Court / Cour des petites créances de

Court File No. / N° de la demande

74 Woolwich St

Address / Adresse

Guelph, ON N1H 3T9

(519)824-4100 223

Phone number / N° de téléphone

Certified to be a true copy of the original  
Copie authentique certifiée et conforme  
à l'original.

Date/Fait le

*Dec 16 2010*

CAPITAL ONE BANK (CANADA BRANCH)

*Barbara Kido*  
Clerk/du greffier  
Guelph Small Claims Court/Cour des  
créances de Guelph

Plaintiff  
Demandeur

and / et

DENNIS EUGENE SCHAUS

Defendant  
Défendeur

Representative of the plaintiff(s):

*TODD CHRISTENSEN*

Représentant du demandeur :

Representative of the defendant(s):

*NO ONE*

Représentant du défendeur :

Event type:

Hearing - assessment

Type d'affaire:

On  
Le

16-DEC-2010

, a hearing was held in the above matter and the following order was made:

une audience a eu lieu concernant l'affaire susmentionnée, et l'ordonnance suivante a été re

*Judgment after submission for \$14,884.71  
and post judgment interest at 21.7%. This order  
is made pursuant to the binding decision of the District  
Court in Capital One v Matovska <sup>dated</sup> Sept 4, 2007 and  
that court clearly determined that the pre-proceeding  
collection expenses even though contingent constituted  
a liquidated sum therefore  
being a liquidated demand for  
money that can be awarded as such  
by the court and I am bound by  
that decision as are the staff of  
this court and default judgment  
in these circumstances can be granted by court itself. Cost of today  
allowed at 350.00.*

Signature of judge / Signature du juge

DONALD G. KIDD  
DEPUTY JUDGE

**Superior Court of Justice  
Cour supérieure de justice**

**Endorsement Record/Order of the Court  
Fiche d'inscription/Ordonnance judiciaire**

**SC-10-00000314-0000**

**Court File No./ N° de la demande**

DENNIS EUGENE SCHAUS  
RR 2  
CLIFFORD, ON CA N0G 1M0

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