

COURT OF APPEAL FOR ONTARIO

CITATION: Lawyers' Professional Indemnity Company v. Sochnyeva, 2024
ONCA 896
DATE: 20241209
DOCKET: M55332 (M55272 & M55277)

Nordheimer, Copeland and Madsen JJ.A.

BETWEEN

Lawyers' Professional Indemnity Company

Responding Party

and

Hanna Sochnyeva* and Dmytro Sochnyev

Moving Party*

Hanna Sochnyeva and Dmytro Sochnyev, acting in person

Matthew Bradley, for the responding party

Heard: December 6, 2024

On review of the order of Justice Jonathon C. George of the Court of Appeal for Ontario, dated August 15, 2024.

REASONS FOR DECISION

[1] Ms. Sochnyeva seeks a review of the order of George J.A. that dismissed two motions she had brought for a stay of two orders of the Divisional Court pending her motions for leave to appeal from those orders. Those two orders had dismissed two motions that Ms. Sochnyeva had brought in Divisional Court for leave to appeal. At the conclusion of the hearing, we dismissed the motion for a review, and also dismissed another motion that Ms. Sochnyeva had brought as described below, with reasons to follow. We now provide our reasons.

[2] There was no error in the motion judge's decision. There was no basis to order a stay of the two orders involved. In any event, the matter is now moot because both of Ms. Sochnyeva's motions for leave to appeal have been dismissed by this court. In fact, one of those dismissals occurred on October 3, 2023, which was some months prior to the motion before George J.A. but, unfortunately, due to an administrative error, this fact was not known either to Ms. Sochnyeva or to the motion judge at the time of the hearing. That miscommunication does not, however, change the fact that the proceedings in this court are now concluded since both motions for leave to appeal have been dismissed.

[3] On that latter point, yesterday Ms. Sochnyeva brought a motion seeking, among other things, the reconsideration and reinstatement of her motion for leave to appeal that was dismissed on October 3, 2023. Assuming that there would be jurisdiction for us to do so, there are no circumstances present in this case that would justify reversing or setting aside the earlier order denying leave to appeal.

[4] It is for these reasons that the motion for review, and the motion for reconsideration and reinstatement, were dismissed. The respondent is entitled to its costs fixed in the amount of \$500, inclusive of disbursements and HST.

"I.V.B. Nordheimer J.A."

"J. Copeland J.A."

"L. Madsen J.A."