CITATION: Starkman Professional Corporation v. Hakim Optical Laboratory Ltd. et al, 2026 ONSC 6418
COURT FILE NO.: CV-25-00740264-0000
DATE: 2026-11-13

2026 ONSC 6418 (CanLII)

SUPERIOR COURT OF JUSTICE - ONTARIO

RE: Starkman Professional Corporation a.k.a Starkman Lawyers, Plaintiff

AND:

Hakim Optical Laboratory Ltd., Evelyn Aimis Holdings Inc., and Hakim Optical Worldwide Lenses Inc., Defendants

BEFORE: Justice Grant R. Dow

COUNSEL: *Paul H. Starkman*, for the Plaintiff

No one appearing for the Defendant

HEARD: In writing

ENDORSEMENT

[1] This motion for default judgment was originally referred to me on May 1, 2026 and dismissed for reasons dated May 11, 2026 (2026 ONSC 2665). It was dismissed without prejudice to it being renewed and, if renewed in the Superior Court of Justice, it be renewed before me.

[2] Plaintiff's counsel requisitioned for it to be renewed in the Superior Court of Justice noting I was seized. Justice Callaghan ordered it follow the standard process on June 26, 2026 for hearing in writing the week of August 17, 2026. It was referred to me on November 6, 2026.

[3] In my earlier Endorsement, I was not satisfied with the manner of service on the, in default defendant, Evelyn Aimis Holdings Inc. This was remedied by the affidavit of Domenic Cordiano, sworn May 28, 2026 confirming personal service of the May 27, 2026 Motion Record (uploaded to Case Center).

[4] Second, I was not satisfied with the details provided regarding the amount claimed as against this defendant, being $17,048.12. This has been remedied by the May 27, 2026 Motion Record including a copy of the December 31, 2024 plaintiff Invoice No. 7446 which details professional fees for services rendered between July 22, 2024 to October 15, 2024 in the sought-after amount of $17,048.12. (That invoice does not set out any claim or rate of interest which relates to the next issue).

[5] Third, I was not satisfied with the claim for pre-judgment interest, its rate or calculation. Paragraph 1(d) of the Statement of Claim sets out a claim for pre-judgment interest "in accordance with section 128 of the Courts of Justice Act, R.S.O.1990, c C-43". The Statement of Claim, having been issued April 1, 2025 or in the second quarter of that year, I find the applicable rate of interest to be 3.3 percent per year or $1.5314 per day (and not the 4.8 percent per year or $2.24 per day contained in the Requisition for Default Judgment at Tab-7 of the May 27, 2026 Motion Record).

[6] To that end, I am prepared to and award pre-judgment interest from December 31, 2024 to the date of judgment, being November 13, 2026 (682 days) being $1,051.17.

[7] Fourth, I was concerned with the claim for legal costs which were not detailed and the claim being within the monetary jurisdiction of the Small Claims Court, without explanation. The May 27, 2026 Motion Record includes a Costs Outline which submits Rule 57.05 (denying the plaintiff its costs for recovery of an amount within the jurisdiction of the Small Claims Court) ought not to apply given the total claims against all defendants in the Statement of Claim exceeded the monetary limit of the Small Claims Court.

[8] It should be noted those other claims against all the other defendants were stayed by the June 27, 2025 order from Justice Black under the *Companies' Creditors Arrangement Act*, R.S.C.1985 c.C-36. I am satisfied with this explanation and particularly, in light of the defendant's repeated failure to respond to this action. I am prepared to and award the plaintiff its partial indemnity costs of $3,163.03 as claimed, inclusive of HST and disbursements.

[9] Judgment to issue as signed by me.

Mr. Justice G. Dow

Date: November 13, 2026

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