

SUPERIOR COURT

CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTRÉAL

No.: 500-17-133621-253

DATE: June 25, 2026

BY THE HONOURABLE FRÉDÉRIC PÉRODEAU, J.S.C.

RENNO VATHILAKIS INC.
Plaintiff

v.

ANDREW HARRIS
Defendant

-and-

CANADA COACH & MENTOR ACADEMY INC.
Impleaded party

JUDGMENT

[1] **CONSIDERING** that the Plaintiff filed an Originating Application on March 31, 2025. It seeks, in particular, to recover from the Defendant fees and interest owed for professional services rendered, as well as punitive damages arising from statements that it alleges are defamatory.

[2] **CONSIDERING** that the parties have already appeared before the Court on several occasions in order to ensure, with mixed success, the progression of this matter.

[3] **CONSIDERING** that the Plaintiff now applies to the Court by way of a Notice of Case Management (No. 069 on the docket). It asks the Court to accept its unilateral

Request for Setting Down for Trial and Judgment and to refer the file to the next provisional roll call for the purpose of scheduling the trial.

[4] **CONSIDERING** that the Plaintiff essentially argues that the Defendant has failed to cooperate in the preparation of a joint Request for Setting Down for Trial and Judgment despite the orders rendered in that regard. The Plaintiff submits that the Defendant has multiplied procedural manoeuvres in order to delay the progress of the file. It emphasizes that, since the outset of this matter, the Defendant has failed to cooperate and to comply with the orders rendered by the Court.

[5] **CONSIDERING** that the Defendant contests the Plaintiff's Notice of Case Management. He essentially argues at the hearing, in a sworn declaration and in emails sent to the undersigned following the hearing, that he is unable to advance this matter and fully present his position because the Plaintiff has failed to provide him with a complete copy of his file. He therefore maintains that he is unable to prepare his defence, conduct examinations before trial, request undertakings, file a cross-application and prepare expert evidence. He asks the Court, among other things, to dismiss the Plaintiff's Notice of Case Management, order the Plaintiff to immediately provide him with a complete copy of his file and order that examinations before trial be held.

[6] **CONSIDERING** that a review of the record reveals that the Defendant is raising issues that have already been decided by the Court. Indeed, this is not the first time that the Defendant has complained that he has not obtained a copy of his file from the Plaintiff, nor is it the first time that he has argued that the matter cannot proceed in such circumstances. The Court is therefore called upon to address issues that have already been determined.

[7] **CONSIDERING** that the Defendant filed a "Motion to Strike Trial Inscription, Stay of Proceedings, and Request for a Case Management Hearing" (No. 052 on the docket), in which he argues that no case protocol has ever been accepted or imposed, that he has repeatedly and formally objected to the readiness of the matter for trial, and that he has not been provided with full and organized access to his legal file. He asks the Court to strike or suspend the trial inscription, to order a stay of proceedings and to convene a case management hearing. The issue of access to his legal file is central to his application.

[8] **CONSIDERING** that this application was heard on December 15, 2025, by the Honourable Florence Lucas, j.s.c., who notably indicated that:

- 8.1. the Plaintiff's case protocol was accepted by the Court on May 15, 2025;
- 8.2. the Defendant filed a statement setting out his grounds of defence on July 17, 2025;
- 8.3. in response to a complaint filed by the Defendant with the Bar, the Plaintiff resent to the Defendant an email containing the relevant links providing

access to all the documents in his initial file, with a representative of the Bar copied on the correspondence;

- 8.4. the Defendant acknowledges having received the Plaintiff's email but continues to assert that the file is incomplete and that he is unable to prepare his defence and be ready for trial. Consequently, he refuses to sign the Request for Setting Down for Trial and Judgment by joint declaration;
- 8.5. the trial judge will be in a better position to review the documents received and determine the parties' respective claims in this regard. In the meantime, the Defendant may file a modified defence based at least on the documents already received, together with a list of any documents that he alleges remain missing; and
- 8.6. it is in the interest of both parties that the case be fixed for trial on the merits as soon as possible.

[9] **CONSIDERING** that Justice Lucas therefore dismissed, with costs, the "Motion to Strike Trial Inscription, Stay of Proceedings, and Request for a Case Management Hearing."

[10] **CONSIDERING** that Justice Lucas ordered the Defendant to file his modified statement of defence by January 15, 2026, and extended to January 31, 2026, the deadline for the Defendant to complete and file the Request for Setting Down for Trial and Judgment by joint declaration, to identify the exhibits he intends to rely upon at trial, to indicate the witnesses he intends to call and the anticipated duration of their testimony, and to specify the time required for his final arguments. She then ordered the Defendant to file his duly completed Request for Setting Down for Trial and Judgment by January 31, 2026, failing which he risks being barred from presenting evidence at trial.

[11] **CONSIDERING** that the Defendant failed to comply with any of those orders.

[12] **CONSIDERING** that the Defendant attempted, without success, to file on February 4, 2026, an incomplete Request for Setting Down for Trial and Judgment dated January 31, 2026. The filing was refused and the document was returned to him as inadmissible for reasons that were communicated to him at that time. He notified a copy to the Plaintiff.

[13] **CONSIDERING** that the Plaintiff nevertheless communicated with the Defendant in order to give him an opportunity to complete a Request for Setting Down for Trial and Judgment. The email exchanges (Exhibit M-1) reveal that the Plaintiff incorporated the information provided by the Defendant in his own request and advised him that additional information was required, such as whether he intended to testify, the duration of his testimony, and the duration of his submissions. The Defendant answered those questions and the Plaintiff incorporated his answers into a Request for Setting Down for Trial and Judgment, which it returned to him for signature.

[14] **CONSIDERING** that, rather than signing the request, the Defendant reversed his position and replied that he was not in a position to finalize and execute the common inscription and required additional time to complete certain filings. He underlined that he was in the process of finalizing his amended defence and intended to file a cross-application. He attributed this additional delay to the disclosure of documents received and further underlined that he anticipated being in a position to finalize the common inscription once his amended defence had been filed, which he expected would occur within the coming weeks. The Plaintiff disagreed with this approach and answered that the Defendant had repeatedly failed to abide by the orders rendered by the Court and was now reneging on the very inscription he had filed.

[15] **CONSIDERING** the orders rendered by the Court, including the order rendered by Justice Lucas on December 15, 2025, which establishes the procedural steps to be completed and the dates by which they must be completed.

[16] **CONSIDERING** that the Defendant essentially raises the same grounds as those advanced in his “Motion to Strike Trial Inscription, Stay of Proceedings, and Request for a Case Management Hearing”, which was dismissed on December 15, 2025.

[17] **CONSIDERING** that the issue concerning the transmission of a complete copy of the Plaintiff’s file to the Defendant has already been dealt with and decided, and that it would not be appropriate to revisit it in the absence of different circumstances.

[18] **CONSIDERING** that the Defendant has not requested an extension of the deadlines established by Justice Lucas, nor has he otherwise explained why he was unable to comply with those deadlines.

[19] **CONSIDERING** the unilateral Request for Setting Down for Trial and Judgment filed by the Plaintiff on November 28, 2025.

[20] **CONSIDERING** section 174 of the *Code of Civil Procedure*, which provides that if the request for setting down for trial and judgment cannot be made jointly by the parties, the plaintiff may file a declaration and notify it to the other parties. The declaration is deemed confirmed unless the other parties specify, within 15 days after it is notified, what should, in their opinion, be added or deleted.

[21] **CONSIDERING** that the Defendant has not indicated within that delay what should be added or deleted.

[22] **CONSIDERING** that the unilateral Request for Setting Down for Trial and Judgment filed by the Plaintiff on November 28, 2025, is deemed confirmed.

[23] **CONSIDERING** that the same procedural rules apply to all litigants, including self-represented litigants, and that judges cannot create separate rules or procedural requirements to accommodate self-represented parties.

[24] **CONSIDERING** the dismissal of the “Motion to Strike Trial Inscription, Stay of Proceedings, and Request for a Case Management Hearing.”

[25] **CONSIDERING** that the circumstances have remained unchanged since the order rendered by Justice Lucas on December 15, 2025.

[26] **CONSIDERING**, however, that the Court considers it appropriate to take into account the information contained in the Defendant’s unilateral Request for Setting Down for Trial and Judgment dated January 31, 2026, as well as the information transmitted by the Defendant to the Plaintiff in his email of February 4, 2026, at 3:08 p.m.

[27] **CONSIDERING** that, as already indicated on December 15, 2025, it is in the interest of both parties to schedule the trial on the merits as soon as possible.

FOR THESE REASONS, THE COURT:

[28] **GRANTS** the Plaintiff’s Notice of Case Management (No. 69 on the docket).

[29] **ACCEPTS** the Plaintiff’s unilateral Request for Setting Down for Trial and Judgment filed on November 27, 2025 (No. 51 on the docket).

[30] **INSTRUCTS** the Plaintiff to file in the Court record, within the next 21 days, a modified Request for Setting Down for Trial and Judgment that takes into account the information contained in the Defendant’s unilateral Request for Setting Down for Trial and Judgment dated January 31, 2026, as well as the information transmitted by the Defendant to the Plaintiff in his email of February 4, 2026, at 3:08 p.m.

[31] **REFERS** the file to the Clerk of the Court to verify whether the record is complete and ready for trial and, if appropriate, to sign an attestation specifying the estimated duration of the trial on the merits and to so inform the parties. If he determines that the record is incomplete after verification, the Clerk shall send a notice to the parties, and the party in default shall have 30 days to remedy the situation.

[32] **REFERS** the file to the Master of the Rolls so that the parties may be convened to the provisional roll call for the purpose of scheduling the trial of this matter.

[33] **REFERS** to the trial judge the determination of the Plaintiff’s claim regarding alleged substantial breaches in the conduct of the proceeding.

[34] **THE WHOLE**, with legal costs in favour of the Plaintiff.

FRÉDÉRIC PÉRODEAU, J.S.C.

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Defendant, Self-represented

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