

DATE: 2026-09-24

SUPERIOR COURT OF JUSTICE

Costs submissions due September 8, 2026

PREJUDGMENT INTEREST

- 2026 ONSC 5418 (CanLII)

more precise calculation would be to assess interest from the date of each payment made on the amount of the increasing balance which the plaintiff calculates to be \$30,061.90.

- [5] The defendant submits that the plaintiff was responsible for delay in the completion of the action. Of the eight years between commencement of the action and trial, the plaintiff was responsible for five years, and the defendant should be relieved of interest obligations for that period. The defendant also submits that the start date for the interest payment should be the date of the final payment to Steelcon by the plaintiff. By its calculation, interest for three years at \$4,064 per annum amounts to a total of \$12,192.
- [6] I acknowledge that it is the plaintiff's obligation to prosecute its action to a conclusion within a reasonable time. See for example the decision of the Ontario Court of Appeal in *Barbiero v. Pollack*, 2024 ONCA 904, 504 D.L.R. (4th) 652 which directed at para. 6 that the obligation to move litigation forward without excessive delay is borne by the plaintiff. That is consistent with the direction of the Supreme Court of Canada in *Hryniak v. Mauldin*, 2014 SCC 7, [2014] 1 S.C.R. 87 that parties have a right to expect the resolution of civil disputes within a reasonable time.
- [7] In this case, it is not possible to attribute the responsibility for any specific amount of delay to the plaintiff. Of greater significance, however, is that the defendant has benefitted from the delay, in that it has not been required to fund the plaintiff's damages until now. There has been no prejudice to the defendant caused by the delay.
- [8] As a result, the decision reported at 2026 ONSC 4517 will be revised and interest ordered in accordance with the lower of the two calculations proposed by the plaintiff. There will be an award of interest calculated at 1.5 per cent per year from May 27, 2019, at the daily rate of \$11.145 for a total of \$29,278.85 to the date of judgment.

Reid J.

Released: September 24, 2026

CITATION: Manorcree Group Inc. v. IBL Structural Steel Limited, 2026 ONSC 5418
COURT FILE NO.: CV-18-58348
DATE: 2026-09-24

ONTARIO

SUPERIOR COURT OF JUSTICE

BETWEEN:

Manorcree Group Inc.

Plaintiff

– and –

IBL Structural Steel Limited

Defendant

**ADDENDUM TO DECISION AFTER TRIAL:
PREJUDGMENT INTEREST**

Reid J.

Released: September 24, 2026