

CANADA / JUDGMENT

L.A.L.M. v. N.M.G.C.

2025 BCSC 2216

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Supreme Court of British Columbia

DECIDED

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2025 BCSC 2216 L.A.L.M. v. N.M.G.C.

IN THE SUPREME COURT OF BRITISH COLUMBIA

Citation:

L.A.L.M. v. N.M.G.C.,

2025 BCSC 2216

Date: 20250924

Docket: E220479

Registry: Vancouver

Between:

L.A.L.M. also known as L.A.L.C.

Claimant

And

N.M.G.C.

Respondent

Before: The Honourable Justice Tindale

Oral Reasons for Judgment

In Chambers

Counsel for the Claimant and Attendee, Kieran.:

T. Bell

(by videoconference)

Respondent appearing on his own behalf:

N.M.G.C.

(by videoconference)

Place and Date of Hearing:

Vancouver, B.C.

September 17, 19 & 22, 2025

Place and Date of Judgment:

Vancouver, B.C.

September 24, 2025

- [1] THE COURT: The respondent, N.M.G.C., who I will refer to in these reasons as the Father, pursuant to a notice of application filed September 5, 2025, seeks an order that the Parenting Coordinator's determination dated August 29, 2025, directing that the parties' child, C.S.M.C., continue at M. High School, be set aside pursuant to s. 19(1) of the Family Law Act S.B.C. 2011, c. 25 ("FLA") as well as other related orders.
- [2] The Father pursuant to a second notice of application filed September 10, 2025, also seeks the disclosure of various financial documentation from the claimant's brother, who I will refer to as Kieran.
- [3] The claimant, L.A.L.M., who I will refer to as the Mother, is opposed to the relief sought by the Father in both the September 5 and September 10, 2025 applications.

Background

- [4] By way of background, the parties began living together in March of 2008 and were married on August 29, 2009.
- [5] The parties separated on or about May 3, 2021.
- [6] The parties have three children together; namely,
 - 1) C.S.M.C., born February 24, 2012, who is currently 13 years of age and who I will refer to as the child C;
 - 2) O.W.M.C., born February 24, 2012, who is also 13 years of age and I will refer to as the child O.; and
 - 3) R.F.M.C., born June 2, 2013 and who is currently 12 years of age.

(Collectively, the "Children")

- [7] The Mother is a family law lawyer.

- [8] The Father is a civil litigation lawyer.
- [9] The child O suffers from mental health difficulties and is currently in hospital as a result of those issues.
- [10] The parties attended a family reunification program called REACH, beginning in February of 2024.
- [11] On March 13, 2024, Associate Judge Muir pronounced an order by consent which included the following:
- 1) the claimant and respondent are each a guardian of the Children; and
 - 2) the claimant and respondent will share parenting responsibilities equally and shall have a mutual obligation to consult with respect to major issues relating to the Children, but in the event of a disagreement the claimant shall have the right to make the decision and the respondent shall have the right to seek directions pursuant to s. 49 of the Family Law Act.
- [12] On April 4, 2025, Justice Loo pronounced an order by consent appointing a Parenting Coordinator.
- [13] A s. 211 report was prepared by Dr. Peggy Koopman, issued on June 9, 2025.
- [14] Dr. Michael Elterman is the parties' Parenting Coordinator. Dr. Elterman issued his Parenting Coordinator Determination (the "Determination") on August 29, 2025 which allowed the child C to continue to attend M. School.

Position of the Parties

Father

- [15] The Father argues that the child C who has attended M.R. School since kindergarten should attend H. High School, which is a feeder school for M.R., so that he can go to school with his friends from elementary school.
- [16] The Father says that this will provide the child C with continuity and stability. Further, the Father notes that H. School is closer to his residence and the Mother's residence.
- [17] The Father has concerns about the logistics of travel for the child C between the parties' respective homes if he attends M. School.
- [18] The Father also argues that one of Dr. Koopman's recommendations is that it was urgent for the child C's mental health that he attend personal therapy and attend counselling with the Father for the purpose of reunification.
- [19] The Father says that the Mother's unilateral decision to enrol the child C at M. is part of an alienation effort by the Mother against the Father. Also, given the increased commuting time for the child C to go to M., this will make it impossible for the parties to attend reunification counselling after school.

[20] The Father says he only became aware that the child C was attending M. on August 15, 2025.

[21] The Father is skeptical that the child C was bullied in his previous school and he is of the opinion that child C, who says he wants to attend M., has been brainwashed by the Mother. The Father argues that because of the Mother's alienation of the child C little weight should be given to the child C's evidence. In that regard, the Father relies on the following decisions:

C.C. v. C.H.C. 2025 BCPC 9;

Kwan v. Lai 2018 BCSC 1280; and

Visser v. Visser 2022 BCSC 1198.

[22] The Father says that he has not seen the Children in 16 months and the Mother's alienation of the Children has been catastrophic to their mental health.

[23] The Father says that Dr. Elterman had no jurisdiction to make the Determination. In addition, the Father argues that Dr. Elterman made an error in law or mixed law and fact because Dr. Elterman did not consider the effects of the Mother's alienation on the child C and how it would undermine the Father's reunification efforts with the child C. Also, Dr. Elterman failed to consider how Kieran would pay for three children to attend at M.

[24] The Father argues that it is not in the best interests of the child C to go to M. School when his siblings are not attending there.

[25] The Father says that the cost for one child to attend M. is approximately \$32,000 per year which the parties cannot afford.

[26] The Father questions Kieran's ability to fund the child C's education, which Kieran has agreed to do.

[27] The Father notes that in the s. 211 report Dr. Koopman wrote the following with regard to the Child's Views Potential Inventory:

[The Father] scores produced a valid profile. He neither appeared to lie nor respond randomly or inconsistently.

On the Abuse Scales, his scores were significantly lower than those who physically abuse children.

[The Mother's] score was within the range indicating inconsistent responding on the Abuse Scales scores. [the Mother's] scores indicate "a valid", elevated Abuse Scales score and indicates the examinee has characteristics similar to those of known, active physical child abusers

- [28] Dr. Koopman also opined that the child C "is on the cusp of dysfunctional mental health development". Dr. Koopman went on to opine that the child C is at risk for developing a relationship disorder called parentification, which refers to a parent- child role reversal where the child takes on instrumental or emotionally caregiving roles normally fulfilled by adults.
- [29] Dr. Koopman further opined at p. 60 of the s. 211 report that:
- The mother is contributing to a form of unintentional alienation of the boys by the emotional climate she generates around them. Her sadness during the marriage, her vulnerability, the number of friends who know intimate details of her marriage, and the abuse she is recovering from reinforced her perceived need to protect the boys from [father].
- [30] The Father argues that it is in the best interests that child C that he begin reunification counselling, which is not feasible if he attends M. School.
- [31] The Father argues that while a Parenting Coordinator pursuant to the Family Law Act Regulations, s. 6(4), can make determinations relating to a child's education, this is in reference to homework or extracurricular activities. It is not in the jurisdiction of a Parenting Coordinator to determine what school the child attends.
- [32] In summary, the Father argues that he was not consulted about the school change and it is not in the best interests of the child C to attend M. School because it will interfere with his counselling and any efforts at reunification between the child C and the father. Also, the child C will be away from his friends that he has grown up with and his siblings.

Mother

- [33] The Mother argues there is no basis for the production of the documents that the Father requests as Kieran has deposed that he can afford to pay the child C's tuition.
- [34] The Mother argues that Kieran, who is not a party to these proceedings, is entitled to his privacy. The Mother argues that disclosure must be connected to a material fact, which in the case at bar does not exist because Kieran has deposed in his affidavit material that he is willing and able to pay the tuition costs for the child C.
- [35] The issue of whether or not Kieran is credible is not discoverable.
- [36] The Mother says that the role of a Parenting Coordinator is to build consensus between the parties and make determinations on prescribed matters.
- [37] The Mother argues that the test to be applied on a review of the Determination is reasonableness, considered against the backdrop of the best interests of the child.
- [38] The Mother notes that s. 19(1) of the FLA provides the court with the discretionary authority to change or set aside a determination made by a Parenting Coordinator.

[39] The Mother argues that it is clearly in the best interests of the child C to attend M. School because it makes him feel proud of himself and he has been taken out of a bullying situation.

[40] The Mother notes that in the REACH CD Report it states the following at p. 8:

[C] presents with intense fear and worry and a long list of complaints about his father. He describes a history of intense verbal and physical discipline and a consistent and constant fear of his father's responses and reactions. [C] is very sad and angry at his father and was not able to recall any positive experiences of him, with his narrative being solely negative and based in fear

[41] Page 2 of the REACH CD Report states the following:

From about September 2024 onwards, [the Father] made several attempts to stop the REACH program's work from continuing. These attempts included refusing to replenish the retainer, refusing to work with his therapist, and sending multiple emails to the Program Director to have the REACH program stop working with their family and to not write a report

[42] The Mother notes that there has been family violence perpetrated by the Father. In the s. 211 report, Dr. Koopman wrote the following at p. 24:

In the interview portion of our meeting the child [C] informed the writer that he is in Grade 7 at M.R. Elementary. He then immediately interjected:

Dad hates us. For a long time, he hit us. He chased me in the garden and I was only in my socks. I hid under the bed. I felt the food he made was poison. He said mean things about Mom. He lied. He said Mom had no life and she was a bad lawyer.

[43] Dr. Koopman went on to write the following at p. 24:

[C] said in as early as kindergarten he remembers his father hit them.

[44] Dr. Koopman opined to the following at p. 60 of the s. 211 report:

[the father] is driving the boys out of his life, by his unpredictable bouts of extreme temper, presenting arguments to them about his need and right to see them, criticizing the mother and pointing out behavioural faults, simultaneously with statements of his ever lasting love for them.

[45] Finally, Dr. Koopman opined to the following at p. 64 of the s. 211 report in regard to counselling:

The writer is also recommending that there is zero tolerance for controlling, demanding, or punitive behaviour by [the Father] through the process. As difficult as it may be, he must take his lead from the therapist and acquiesce to suggestions without argument. Sessions must cease each time this cannot be maintained. [The "Father"] will need to dismantle his tough love belief and see it for the cover of disinhibition that it appears to be.

- [46] The Mother says that the child C made it clear to Dr. Elterman what his views were. Dr. Elterman wrote that the child C said that he loves M. and that there were lots of activities and clubs for him to participate in. He worked hard to get in by doing two exams and two interviews and felt good about his accomplishment.
- [47] The child C told Dr. Elterman that at his old school his friends turned against him and said mean things about his brother. He was emotionally bullied and he believes M. will allow him to make a new start where he can be himself and where he is not his brother's brother.
- [48] The Mother argues that Dr. Elterman made a commonsense decision in the Determination. He considered both of the parties' arguments and found that both schools were excellent. He determined that the child C, who is almost 14, and very bright, was being bullied in his previous school.
- [49] The Mother argues that she is aware that she should have consulted with the Father prior to enrolling the child C at M.; however, given the Father's volatility, she was afraid to do so. The Mother was also dealing with the child O's very serious mental health problems.
- [50] Ultimately, the Mother says that she eventually did consult with the Father and they agreed to have Dr. Elterman resolve the dispute between them about which high school that child C would attend. The Mother also notes that she enrolled the child C in both M. and H.

Decision

- [51] The primary issue on these applications is whether or not the Determination should be set aside.
- [52] Both of the Father's applications relate to the child C being enrolled in and attending M. High School.
- [53] It is clear on the evidence on these applications that the parties are engaged in a high conflict litigation which stems in part from their inability to communicate effectively with one another.
- [54] Dr. Koopman has opined that the Mother engages in a form of unintentional alienation of the Children. Dr. Koopman has also recommended that the Father "should be required to attend therapy to assist him to understand and modify his narcissistic traits, temper outbursts, denial, and blaming".
- [55] The evidence on this application also establishes that the child C is presently fearful of the Father and that the Father has committed family violence in the past.
- [56] In terms of family reunification counselling, Dr. Koopman recommended "that there is zero tolerance for controlling, demanding, or punitive behaviour by the Father through the process".

[57] The Father says that Dr. Elterman acted outside of his authority or, in the alternative, made an error of law or mixed law and fact.

[58] The September 5th application is brought pursuant to s. 19 of the FLA, which reads:

19(1) On application by a party to a determination made by a parenting coordinator, the court may change or set aside the determination if satisfied that the parenting coordinator

(a) acted outside the parenting coordinator's authority, or

(b) made an error of law or of mixed law and fact

19(2) If the court sets aside a determination, the court may make any order that the court may make under this Act to resolve a dispute between the parties in relation to the subject matter of the determination.

19(3) If the court does not set aside a determination, the court may make any order that the court may make under this Act to enforce compliance with the determination.

[59] The legal framework to set aside Parenting Coordinator Determinations is discussed in *F.K.L. v. D.M.A.T.* 2025 BCSC 364 at paras. 71 - 76:

[71] In other words, there are two bases upon which the court may set aside a determination. The first is when the court finds that the parenting coordinator lacked the lawful authority to issue the determination (s.19(1)(a) of the FLA). The second is when the court finds that, while the parenting coordinator was acting within their lawful authority, they nevertheless made an error of law, or an error of mixed law and fact, with respect to the determination (s.19(1)(b) of the FLA).

[72] There has been some discussion in this court's jurisprudence of the standard of review that applies to s.19 FLA applications. Several cases have concluded that it is "reasonableness", even though that is a deferential administrative law standard, and parenting coordinators are not public officials who perform administrative law functions: *Law v. Cheng*, 2017 BCSC 328 at paras. 28 to 35; *A.K.S. v. A.L.E.S.*, 2019 BCSC 419 at paras. 28 to 34 and 49; *T.R. v. A.R.*, 2020 BCSC 2068 at paras. 33 to 34; *C.M.W. v. K.M.C.N.*, 2021 BCSC 1986 at paras. 26 and 43; *C.J.C. v. N.J.C.*, 2021 BCSC 1930 at para. 6; and *Leanes v. Shirzad*, 2024 BCSC 31 at paras. 26 and 37, and 2024 BCSC 2493 at para. 24. The Court of Appeal does not appear to have addressed this issue as of yet.

[73] However, Ms. L's challenge to Determinations #1 and #2 is based on her assertion that they were made outside the scope of the Coordinator's legal authority. As such, it is an application for relief pursuant to s.19(1)(a) of the FLA. In my view, this means that there is no real issue of standard of review in this case. If the court finds that the Coordinator exceeded her lawful authority, then the determination should be set aside. An unlawful determination cannot be afforded deference, no matter how "reasonable" it might otherwise be.

[74] The scope of a parenting coordinator's authority to issue determinations is limited by ss.15(2), 17(b) and 18(1) of the FLA, and ss.6(3) and 6(4) of the Family Law Act Regulation, B.C. Reg. 347/2012 ["FLAR"], which read:

FLA

15(2) A parenting coordinator may assist only

- (a) if there is a parenting coordination agreement or order in place, and
- (b) for the purpose of implementing an agreement or order respecting parenting arrangements, contact with a child or other prescribed matters.

17 A parenting coordinator may assist the parties in the following manner: ...

- (b) by making determinations respecting the matters prescribed for the purposes of section 18 [determinations by parenting coordinators].

18(1) A parenting coordinator

- (a) may make determinations respecting prescribed matters only, subject to any limits or conditions set out in the regulations,
- (b) must not make a determination respecting any matter excluded by the parenting coordination agreement or order, even if the matter is a prescribed matter, and
- (c) must not make a determination that would affect the division or possession of property, or the division of family debt.

FLAR

6(3) The following are the matters in respect of which a parenting coordinator may make determinations:

- (a) parenting arrangements;
- (b) contact with a child.

6(4) For the purposes of subsection (3), a parenting coordinator

- (a) may make determinations in respect of
 - (i) a child's daily routine, including a child's schedule in relation to parenting time or contact with the child,
 - (ii) the education of a child, including in relation to the child's special needs,
 - (iii) the participation of a child in extracurricular activities and special events,
 - (iv) the temporary care of a child by a person other than
- (A) the child's guardian, or

- (B) a person who has contact with the child under an agreement or order,
 - (v) the provision of routine medical, dental or other health care to a child,
 - (vi) the discipline of a child,
 - (vii) the transportation and exchange of a child for the purposes of exercising parenting time or contact with the child,
 - (viii) parenting time or contact with a child during vacations and special occasions, and
 - (ix) any other matters, other than matters referred to in paragraph (b), that are agreed on by the parties and the parenting coordinator, and
- (b) must not make determinations in respect of
- (i) a change to the guardianship of a child,
 - (ii) a change to the allocation of parental responsibilities,
 - (iii) giving parenting time or contact with a child to a person who does not have parenting time or contact with the child,
 - (iv) a substantial change to the parenting time or contact with a child, or
 - (v) the relocation of a child.
- [75] Lastly, pursuant to s. 6(4)(a)(ix) of the FLAR, the parties to a parenting coordinator agreement may authorize a parenting coordinator to make determinations on other matters, except for those set out at s. 6(4)(b) of the FLAR.
- [76] While the Agreement in the case at bar lists a number of matters in respect of which the Coordinator may make determinations, the parties did not identify any that might be relevant to this application. Based on my own review of the Agreement, I was unable to find any that might constitute such a relevant "other matter" beyond those already mentioned expressly in s. 6(4)(a) of the FLAR.
- [60] It is fair to say that parenting coordination is a child-focused dispute resolution process designed to assist parents in settling disputes regarding their children in a timely manner.
- [61] The Mother did not initially consult with the Father about M. However, she did enroll the child C in both M. and H. Her explanation for not initially consulting with the father was her concern about his volatile reaction, which based on the evidence I have on this application I accept.
- [62] Ultimately, Dr. Elterman was asked by both parties to resolve their dispute as to where the child C would attend school. Dr. Elterman spoke to the Father, the Mother, and the child C in making the Determination. The child C expressed his view that he was in favour of attending M. and provided a number of reasons to Dr. Elterman in that regard.

- [63] Further, Dr. Elterman read both the REACH report and the s. 211 report. In my view, Dr. Elterman was aware of the Mother's alienation and the fact that there was a recommendation for reunification counselling.
- [64] Section 6(4)(ii) of the FLAR authorizes a parenting coordinator to make determinations respecting the child's education. Both of these parties are guardians of the Children and both have parental responsibilities, with the Mother being the party to make the final determination when a dispute arises between the parties. Both of these parties agreed to Dr. Elterman resolving the dispute between them.
- [65] In my view, Dr. Elterman did not exceed his scope of authority in making the Determination. He was engaged by the parties to resolve the dispute that they had regarding the child C's education, which is also authorized by the FLAR.
- [66] At the heart of this application by the Father to set aside the Determination is the best interests of the child C.
- [67] Section 37 of the FLA states:
- 37(1) In making an agreement or order under this Part respecting guardianship, parenting arrangements or contact with a child, the parties and the court must consider the best interests of the child only.
- 37(2) To determine what is in the best interests of a child, all of the child's needs and circumstances must be considered, including the following:
- (a) the child's health and emotional well-being;
 - (b) the child's views, unless it would be inappropriate to consider them;
 - (c) the nature and strength of the relationships between the child and significant persons in the child's life;
 - (d) the history of the child's care;
 - (e) the child's need for stability, given the child's age and stage of development;
 - (f) the ability of each person who is a guardian or seeks guardianship of the child, or who has or seeks parental responsibilities, parenting time or contact with the child, to exercise the person's responsibilities;
 - (g) the impact of any family violence on the child's safety, security or well-being, whether the family violence is directed toward the child or another family member;
 - (h) whether the actions of a person responsible for family violence indicate that the person may be impaired in the person's ability to care for the child and meet the child's needs;

- (i) the appropriateness of an arrangement that would require the child's guardians to cooperate on issues affecting the child, including whether requiring cooperation would increase any risks to the safety, security or well-being of the child or other family members;
- (j) any civil or criminal proceeding relevant to the child's safety, security or well-being.

37(3) An agreement or order is not in the best interests of a child unless it protects, to the greatest extent possible, the child's physical, psychological and emotional safety, security and well-being.

37(4) In making an order under this Part, a court may consider a person's conduct only if it substantially affects a factor set out in subsection (2), and only to the extent that it affects that factor.

[68] In my view, it is in the best interests of the child C to attend M. for the following reasons. First, it is clear that this is the child C's desire. The child C is 13 years old and is obviously very bright.

[69] His health and well-being are also served by allowing him to attend M. because he is clearly proud that he was able to be accepted to that school and attending M. allows him to establish his own identity from that of his brother O. It also takes him out of an emotionally bullying situation that he identified at his previous school.

[70] The child C is excited to attend the school which offers him a fresh start and stability.

[71] Importantly, it allows the child C some reprieve from the toxic family relationship which has been marred by family violence and which the child C finds himself embedded in.

[72] I reject the Father's argument that if the child C attends M. this will interfere with any reunification therapy. The Father argued that attending M. School requires the child C to be in a different jurisdiction. Realistically, we are talking about the difference from attending school in North Vancouver or West Vancouver.

[73] The Father in his submissions stated that perhaps the child C could attend M. in a year or two. In my view, the Father's judgment is clouded on this issue because of his view that he was not properly consulted by the Mother.

[74] I appreciate given the findings that the Mother has alienated the children from the Father it is possible that in some aspects the child C has been influenced to say certain things. However, with regard to attending M. School, that decision, in my view, does not impact the Father and I accept the child C's explanation for why he wants to attend there.

[75] It is clear that attending M. will provide an oasis for the child C from his toxic family home life and allow him stability and the ability to determine his own identity as he enters high school.

[76] Dr. Elterman in giving his Determination did not base it on unreasonable grounds. The Determination was not unreasonable and it was in the best interests of the child.

- [77] In my view, Dr. Elterman did not commit any errors of law or mixed law and fact. He considered the parties' views and was aware of the Mother's alienation efforts as well as the need for the Father and the child C to engage in counselling. I do not accept that Dr. Elterman in determining what is in the best interests of the child C would have needed to consider whether Kieran could afford to pay for the tuition of all of the Children. Unfortunately, the future for the child O is not clear at this point and this application is in regard to the child C. There is evidence that Kieran can pay for the tuition of the child C in this matter.
- [78] In the event that I am wrong on this point and the Determination should be set aside, I would have pursuant to s. 19(2) of the FLA order that the child C attend M. because it is in the best interests of the child C that he attend M. School, for all the above-noted reasons.
- [79] The Father's application of September 5, 2025 is dismissed. The child C will attend M. High School this year.
- [80] The Father, pursuant to the notice of application of September 10, 2025, seeks orders for disclosure of Kieran's financial information.
- [81] The Mother says there is no basis for the production of documents because Kieran has deposed he can afford child C's tuition and he is entitled to some privacy.
- [82] Kieran is a lawyer who has deposed that he loves his nephews and is capable of paying the tuition for the child C.
- [83] The disclosure that the Father is seeking is very broad in nature. The Father seeks the following disclosure:
- a) copies of his income tax returns and notices of assessment for the past three years;
 - b) copies of Kieran's bank statements for the past six months for all personal or joint accounts;
 - c) copies of his investment or brokerage account statements for the past six months;
 - d) copies of any trust instruments, inheritance agreements, or other sources of funding to be relied upon; and
 - e) any other documents intended to establish his ability to fund the M. tuition on an ongoing basis.
- [84] In addition, the Father seeks confirmation whether Kieran proposes to fund tuition for all of the Children and some other relief in that regard.
- [85] In my view, given that Kieran has deposed that he is capable of paying the tuition fees, the issue as to whether or not his finances permit it is not a material issue to the issue as to what is in the best interests of the child C. Further, digging into Kieran's finances can only be described as a collateral issue going to credibility which is not discoverable.

[86] In *Biehl v. Strang* 2010 BCSC 1391, Mr. Justice Punnett said the following at para. 24:

The plaintiff has referred to *Sandhu (Guardian ad litem of) v. Philipow* (1996), 1996 CanLII 2368 (BC SC), 24 B.C.L.R. (3d) 78, 49 C.P.C. (3d) 317 (S.C.), in which the plaintiffs sought abstracts of the defendants' driving records for the purpose of determining whether the defendants had been convicted of any offences arising out of the accidents in question or any other offences. The application was denied because whether the defendants had been convicted was a collateral issue going only to credibility. The plaintiff also refers to *Stathis v. Jones, Gable & Co.*, [1982] B.C.J. No. 1337 (S.C.) for the same principle: discovery on the issue of credibility is not permitted

[87] In my view, the Father's application for financial disclosure from Kieran is little more than a fishing expedition and will only exacerbate the Father's relationship with the child C because any disclosure of Kieran's financial information will inevitably lead to more applications by the Father to prohibit the child C from attending M. High School.

[88] The father's application of September 10, 2025 is dismissed.

[89] Anything further?

[90] CNSL T. BELL: Only submissions with respect to costs, Justice.

[91] THE COURT: All right.

[92] [SUBMISSIONS RE COSTS]

[93] THE COURT: All right. This is an issue with regard to the costs of two applications brought by the Father. The September 5, 2025 application with regard to the Parenting Coordinator's Determination, the Mother was substantially successful on that application. However, the Father objects to the Mother having her costs in this matter based on the fact that she did not comply with a court order and that is that she did not consult or, at least, initially consult with the father as to the issue of the child C's going to high school. In my view, the Mother has been substantially successful and the parties agreed to the parenting coordinator, so the Mother will have her costs. However, they will be costs in the cause.

[94] With regard to the party Kieran, the Father objects to Kieran, who was successful on the September 10, 2025 application because the application response and the materials were filed late pursuant to a short leave application. The matter did proceed in any event. In my view, Kieran was substantially successful and is entitled to his costs.

[95] All right. Thank you.

[96] CNSL T. BELL: Thank you, Justice.

[97] THE CLERK: Order in chambers. Chambers is adjourned.

"The Honourable Mr. Justice Tindale"

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