Motion To Set Aside Two Ex Parte Orders Dismissed: Noreast Electronics Co. Ltd. v. Danis

February 09, 2018

In June, an Anton Piller order ("APO") and Mareva injunctions ("Mareva") were obtained by Noreast Electronics Co. Ltd. ("Noreast"), an Ontario based electronics company, after it discovered that one of their senior level employees had been defrauding the company by forging supplier invoices and submitting them to Noreast. During the course of the investigation, it also became clear that his wife was involved in the fraud. The APO and Mareva were executed the next day. The defendants brought motions to set aside the orders on the basis that Noreast (i) failed in its disclosure obligations; (ii) Justice Ryan Bell did not have sufficient evidence to grant the injunctions; and/or (iii) subsequent evidence provided by the defendants meant that the Orders should not be continued.

In *Noreast Electronics Co. Ltd. v. Danis*, Justice Gomery disagreed and said that Noreast now had even more evidence to support the case for a strong prima facie case in fraud. She also found that the injunctions were executed properly.

Noreast was represented by Ira Nishisato and Maureen Doherty of our Toronto office.

By

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