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1 Court File No. 12 0545-SR

2 ONTARIO SUPERIOR COURT OF JUSTICE

3 BETWEEN:

4 SVETLANA DANILOVA AND PAVEL DANILOV

5 Plaintiffs

6 - and -

7 ALLA NIKITYUK, VALENTIN NIKITYUK, YANA SKYBIN,

8 YOUNG MENS CHRISTIAN ASSOCIATION

9 operating as YMCA SIMCOE/MUSKOKA AND YMCA

10 SIMCOE/MUSKOKA NEWCOMER SERVICES

11 Defendants

12 Court File No. 13-1101

13 BETWEEN:

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15 Plaintiffs

16 - and -

17 ALLA NIKITYUK, VALENTIN NIKITYUK, YANA SKYBIN,

18 YOUNG MENS CHRISTIAN ASSOCIATION

19 operating as YMCA SIMCOE/MUSKOKA AND YMCA

20 SIMCOE/MUSKOKA NEWCOMER SERVICES

21 Defendants

22 =====:=====

23 Transcript of the examination for discovery of VALENTIN  
24 NIKITYUK, one of the Defendants herein, taken on the 8th  
25 day of April, 2014, at the offices of Simcoe Court  
26 Reporting (Barrie) Inc., 134 Collier Street, Barrie,  
27 Ontario, commencing at 5:00 p.m.

28 =====

29 APPEARANCES:

30 MR. S. TIMOKHOV for the Plaintiffs

31 MR. E. BORNMAN for the Defendants, Nikityuk

32 MR. P. KRYSIAK for the Defendants, Yana Skybin

33 and YMCA

=====:=====

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1.	To answer the question, what is the reason you didn't swear on the Bible if you are christian	. 5

**PLEASE NOTE:** The list of undertakings and refusals is provided as a service to counsel and does not purport to be complete or binding upon the parties herein.

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1 VALENTIN NIKITYUK: DULY AFFIRMED

2 EXAMINATION BY MR.

3 1. Q. Valentin, how strong are your religious  
4 beliefs?

5 MR. BORNMAN: Sorry, what was that question  
6 again?

7 BY MR. TIMOKHOV:

8 2. Q. What is your faith -- what is your religious  
9 belief?

10 A. Christian.

11 3. Q. And I understand that you were military  
12 before, how did you come to that -- I understand he  
13 military in the military before?

14 MR. BORNMAN: What's the...

15 BY MR.

16 4. Q. No, how did he come to christianity, who....

17 MR. BORNMAN: ...I'm going to refuse that  
18 question on the basis of relevance.

19 MR. TIMOKHOV: Ah, there is relevance in this  
20 (inaudible) .

21 MR. BORNMAN: Okay. Well, Mr. Timokhov, if you  
22 can persuade a judge that how my client came to a  
23 particular spiritual disposition is relevant to  
24 this case, by all means, but...

25 MR. TIMOKHOV: The relevance is that your client

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1 was introduced to christianity by Yana Skybin.

2 MR. BORNMAN: Carry on. Proceed.

3 BY MR. TIMOKHOV:

4 5. Q. Did you -- did you go to go to church before  
5 you came to Canada?

6 A. I was baptized in christian church when I was  
7 little.

8 6. Q. Did you attend church before you came to  
9 Canada?

10 A. I've been there.

11 7. Q. Despite you were in military -- in Soviet  
12 military?

13 A. It has no relation to it.

14 8. Q. Did you go to church often with Yana Skybin?

15 A. Not a single time.

16 9. Q. What is the reason you didn't swear on the  
17 Bible and you -- if you are christian?

18 MR. BORNMAN: I -- that -- I'm going to refuse  
19 that question.

20 MR. TIMOKHOV: On what grounds that counts of  
21 his...

22 MR. BORNMAN: Relevance.

23 MR. TIMOKHOV: ...of his credibility of your  
24 client just a refusal to swear on Bible being a  
25 christian.

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1 MR. BORNMAN: Questions that go strictly to the  
2 point of the credibility of a client are not  
3 appropriate in this proceeding.

4 MR. TIMOKHOV: All credible submission is  
5 proceeding because if your client didn't swear  
6 on Bible he may be and affirmed he didn't want to  
7 swear in accordance with his religious beliefs  
8 and he might be not telling the truth.

9 MR. BORNMAN: We are refusing that question.

10 MR. TIMOKHOV: On what grounds?

11 MR. BORNMAN: Relevance.

12 MR. TIMOKHOV: Well I object to it and we take it  
13 as a refusal because credibility is a major issue  
14 in this proceeding.

15 MR. BORNMAN: Okay. So next question, please.

16 REFUSAL NO. To answer the question, what is  
17 the reason you didn't swear on the Bible if you  
18 are christian.

19 BY MR. TIMOKHOV:

20 10. Q. So you had some health problems when you were  
21 in Russia, back in 1995?

22 A. Yes.

23 11. Q. What kind of problem was it?

24 A. I had operation.

25 12. Q. What kind of illness did you have?

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1           A. I had the -- I had pneumonia due to which --  
2 I had pneumonia due to which the lower section of the lung  
3 was taken out.

4 13.       Q. And is it true that your wife's daughter was  
5 helping you with the treatment?

6           A. The operation was made in the institute named  
7 after Petrov(phonetic).

8 14.       Q. Did you have treatment with Dr. Bykova?

9           A. Yes, she made three injections.

10 15.       Q. And who introduced you to Dr. Bykova?

11          A. Svetlana.

12 16.       Q. So she did help you with your treatment?

13          A. Yeah, she introduced me to the doctor and  
14 then doctor treated me.

15 17.       Q. And is it true that your wife had an  
16 operation just to treat her cancer later?

17          A. Yes.

18 18.       Q. And is it true that this operation was paid  
19 by your wife's daughter -- by your daughter-in-law?

20          A. No.

21 19.       Q. Did you pay anything to --- for this  
22 operation?

23          A. No.

24 20.       Q. Did you give any money to the doctor  
25 directly?

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1           A. Directly how it is used back in Russia just  
2 to put something into the pocket.

3 21.       Q. And how much did you put into the pocket?

4           A. Five thousand.

5 22.       Q. And by into the pocket, you mean you bribed  
6 the doctor, right?

7           A. After the -- after the operation it was  
8 gratitude.

9 23.       Q. So it's common in your culture to show the  
10 gratitude by giving money?

11          A. Yes.

12 24.       Q. And you don't find anything wrong with just  
13 giving just money to show gratitude after getting something  
14 just you need?

15          A. It was gratitude. How it is related to this  
16 everything?

17 25.       Q. Oh, you just have to answer the questions  
18 here. And I understand that around 2005 or 2006 you had  
19 problems with your bladder?

20          A. I had operation in 2007.

21 26.       Q. And what kind of illness did you have?

22          A. It's a male disease ademona(phonetic) of  
23 prostate.

24 27.       Q. And what was the symptoms of this illness?

25          A. Bad urinating.

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1 28. Q. So would it be fair to say that at some point  
2 you couldn't urinate?

3 A. Yeah, it was something like this.

4 29. Q. And your doctor told you that your body was  
5 starting to terminating because of this?

6 A. No, nothing like this was said.

7 30. Q. And is it true that your doctor said that  
8 it's very hard to treat this illness in Russian Federation?

9 A. Well, they did the operation and that's it.

10 31. Q. And the operation was completely successful?

11 A. At the beginning, yes, it was successful, but  
12 the later on there was some symptoms.

13 32. Q. What kind of symptoms?

14 A. Urinating problem and ended up that I  
15 couldn't urinate at all.

16 33. Q. And what what would happen with your body  
17 if you if you would stop urinating?

18 A. Where it goes, it should be urinated, right.

19 34. Q. And at that point is it true that your doctor  
20 said that it's very hard to operate it in Russian  
21 Federation, but they do it in foreign countries?

22 A. No, not like this. He just did me and was  
23 (inaudible) procedure -- - certain procedure.

24 35. Q. And just at some point you decided to come to  
25 this country, to Canada, to immigrate here?

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1           A.  Yeah, we were invited.  
2  36.       Q.  What was        by whom?  
3           A.  Danilovs.  
4  37.       Q.  Svetlana or Pavel?  
5           A.  Both -- both persuaded us to come.  
6  38.       Q.  What was your relationship with Pavel at the  
7  time?  
8           A.  We trusted them.  
9  39.       Q.  Would it be fair to say that you were friends  
10 with Pavel at that point?  
11          A.  We couldn't be friends at that moment because  
12 we live separately.  They lived in another apartment -- in  
13 a different apartment.  Just met sometimes.  
14 40.       Q.  But Pavel and his -- and his father were  
15 helping you in building cottages -- cot -- your cottage; is  
16 it true?  
17          A.  Build a cottage -- the cottage was built, but  
18 there is some addition that was renovated.  His -- Pavel's  
19 dad help me, not Pavel.  
20 41.       Q.  So Pavel was not there?  
21          A.  No, he seldom went there.  
22 42.       Q.  But you met Pavel in Riga when you came for  
23 treatment there, didn't you?  
24          A.  Yes.  
25 43.       Q.  What do you think about Pavel?

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1           A. Well right now after what he did I think that  
2 he's a bad person.

3 44.       Q. What did you think about Pavel at that time?

4           A. We trusted him.

5 45.       Q. But you had some kind of personal opinion  
6 about him, didn't you?

7           A. So Pavel is Pavel, we just live with we  
8 didn't fight with each other. Some -- one time they lived  
9 with us, but when he got -- when he got the apartment from  
10 his dad they moved out to that apartment.

11 46.       Q. By they you mean your daughter-in-law and  
12 Pavel at the same time?

13          A. Yes.

14 47.       Q. And when they moved to -- away, they left you  
15 power of attorney?

16          A. No power of attorney. They unregistered from  
17 that apartment and they moved in the other apartment.

18 48.       Q. But there was power of attorney wasn't there?

19          A. No power of attorney, but power of attorney  
20 for what?

21 49.       Q. To deal with their property?

22          A. They have their own property, we have our own  
23 property.

24 50.       Q. So there was no power of attorney, right?

25          A. No.

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1 51. Q. And how did you get that apartment?

2 A. This apartment, I had one room apartment and  
3 Alla and Svetlana when she was 15 years of age they had  
4 their own in -- an apartment.

5 52. Q. And Svetlana was registered in that room,  
6 wasn't she?

7 A. Yeah, they -- Svetlana was registered in that  
8 room, but this room belonged to the government.

9 53. Q. And after you united room and the apartment,  
10 you registered Svetlana in your new apartment, didn't you?

11 A. Oh, we didn't get -- we exchange one room  
12 plus -- one room apartment we exchange for -- for the  
13 separate apartment.

14 54. Q. And Svetlana was registered there?

15 A. Yes, she was registered.

16 55. Q. And Svetlana's daughter, Anastassia, was born  
17 in your apartment?

18 A. In the hospital.

19 56. Q. But she was registered in the apartment  
20 (inaudible)?

21 A. Yes, Svetlana was registered then Anastassia  
22 was registered and when Pavel got apartment from his  
23 parents, Svetlana and Anastassia unregistered from our  
24 property and registered on Pavel's parent's property.

25 57. Q. And when you -- when those privatization of

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1 your apartment, did you consider just putting Svetlana and  
2 Anastassia as owners as well?

3 A. No. No, they moved out in 1988, but  
4 privatization process started in 1993.

5 58. Q. Did you discuss it with them?

6 A. Why should we, only Alla and myself were  
7 registered on this property.

8 59. Q. Because Svetlana was registered in the room  
9 that just was exchanged for your new apartment and  
10 therefore she could be entitled to a part in your  
11 apartment?

12 A. She didn't have -- no, because it was the  
13 government property and she was not there.

14 60. Q. So why did...

15 A. It's like we say that if I go to the hotel  
16 and stayed there one night and they start pretending that I  
17 have an ownership on this room.

18 61. Q. ...so following your logic how can you  
19 pretend that you can claim ownership over this property, it  
20 was governmently owned property?

21 A. But I didn't -- I just -- we lived in this  
22 apartment. And then there was a law from the government  
23 that those who live in their apartments, they can privatize  
24 them.

25 62. Q. But Svetlana and Anastassia used to live

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1 there as well?

2 A. But it doesn't matter. This -- the  
3 government didn't pay attention to this.

4 63. Q. Did you pay attention to this?

5 A. They moved out of this property, they moved  
6 into Pavel's parent's property and they applied for the new  
7 apartment.

8 64. Q. But after that you -- you registered  
9 Anastassia and Svetlana again after privatization?

10 A. It happened when they immigrated to Latvia.  
11 They requested us to register the -- them on this property,  
12 but they were registered without the right to own.

13 65. Q. And if you didn't have a close relationship  
14 with Pavel, just why why do you think Pavel wanted to  
15 invite you to Canada.

16 INTERPRETER: Could you please repeat?

17 MR. BORNMAN: Did he say that he didn't have a  
18 close relationship with Pavel?

19 MR. TIMOKHOV: He said they were not friends.

20 MR. BORNMAN: Okay.

21 BY MR. TIMOKHOV:

22 66. Q. You were not friends with Pavel, why -- why  
23 do you think they would invite you to Canada?

24 A. They advised us that the life is good here  
25 and we agreed.

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1 67. Q. What is your relationship with your  
2 biological children?

3 A. Normal.

4 68. Q. Is it true that they consider you to be a  
5 difficult person to deal with?

6 A. I don't know, yesterday I spoke to my  
7 daughter over the phone.

8 69. Q. Did you have arguments with your biological  
9 children just when they came to Canada?

10 A. No.

11 70. Q. You never had arguments with your daughter  
12 when biological daughter when she came here?

13 A. No we didn't.

14 71. Q. So when you came to Canada just you had some  
15 medical treatment here of your bladder problems, didn't  
16 you?

17 A. Yes.

18 72. Q. And who was helping you with that, who was  
19 accompanying you to the hospital and to the doctors?

20 A. It was in 2008 and Svetlana helped me with  
21 this.

22 73. Q. What else is -- how else Svetlana was helping  
23 you?

24 A. She accompanied us to the family doctor.

25 74. Q. Did she cook for you?

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1           A. Yeah she cooked because she didn't allow Alla  
2 to cook anything -- to do anything in the kitchen.

3 75.       Q. Did she clean the house?

4           A. And we also cleaned.

5 76.       Q. What part of the house did you clean?

6           A. Sometime -- sometimes only our rooms we  
7 sometimes the entire house I vacuumed and even including  
8 their room where they lived.

9 77.       Q. So what rooms -- you had dedicated rooms?

10          A. Yes.

11 78.       Q. And Svetlana was cleaning -- cleaning and  
12 taking care of the rest of the house most of that?

13           INTERPRETER: Could you please repeat?

14 BY MR. TIMOKHOV:

15 79.       Q. You Svetlana was taking care of the rest  
16 of the house most of the time?

17           A. No, I also vacuumed downBtairs, upstairs,  
18 everywhere.

19 80.       Q. So you came to Canada just because -- because  
20 you wanted to have family reunion, right?

21           A. Yeah, at that moment we trusted them and  
22 that's why we came here.

23 81.       Q. Why did you personally want family reunion?

24           A. Why because family is family.

25 82.       Q. Did you consider your wife's children to be

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1 your family?

2           A. When we -- I met my wife, Svetlana was 13  
3 year of age at that moment and we lived together until she  
4 grew up and got married.

5 83.       Q. Did you have any savings before you came to  
6 Canada?

7           A. Yeah.

8 84.       Q. How much was it and where it came from?

9           A. Do you mean in details?

10 85.       Q. What was the amount of the savings?

11           A. I remember that when everything was done and  
12 we moved I brought 18,000 Canadians in my pocket with me to  
13 Canada.

14 86.       Q. Was it cash in your pocket?

15           A. Yes. Because I couldn't bring more. Because  
16 every passenger was allowed to have 10,000 so we were two  
17 of us and we were allowed to bring 20,000 cash and we had  
18 only 18.

19 87.       Q. Where this 18,000 came from?

20           A. Then I have to give you all the details. So  
21 in from 1993 Alla and myself from 1996 we started receiving  
22 our improved pension -- higher than normal. Because Alla  
23 and myself were disabled people and city paid us extra  
24 1,000 rubles to Alla and to myself. After -- after Alla  
25 was retired she continued working in two different

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1 enterprises and she was well paid and I -- I continued  
 2 working at the enterprise and I received a good salary, a  
 3 quarterly bonus and bonuses on orders. I was in charge of  
 4 five orders -- five regions five projects. And I worked  
 5 up until 2004 while I lived because the director -- in 2004  
 6 the director issued an order that those pension --  
 7 pensioners working -- employed pensioners who will -- those  
 8 pensioners, working pensioners, if they leave the  
 9 enterprise before November 2004, they will get a kind of  
 10 bonus up to 90,000. I quit November 30, 2004. And on  
 11 December 2004 I got those 90,000.

12 88. Q. So this 90,000 were your only savings or was  
 13 it like more -- other money?

14 A. Yeah, as I told you, this lump sum plus our  
 15 pensions, our salaries.

16 89. Q. So approximately what amount it was?

17 A. I -- somehow I didn't pay much attention to  
 18 this. We had money in our account so we kept them there.

19 90. Q. So you still have saving::; in Russia or just  
 20 on your account?

21 A. No -- no, the savings that we had we withdrew  
 22 them, but there's still some interest accumulated there.

23 91. Q. What is the amount of your savings now?

24 A. As I told you, we withdrew almost all the  
 25 money when we moved out of Russia, but as I explained you

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1 before, I received -- oh, I received some additional  
2 pension from the enterprise, not from the state, but from  
3 the enterprise.

4 92. Q. And this pension goes into your saving  
5 account in Russia?

6 A. Yeah and when he demanded, I gave him the  
7 statement from this account.

8 MR. BORNMAN: By, he, you mean Pavel Danilov?

9 WITNESS: Pavel Danilov, yes. Yeah he demanded  
10 through all those -- this things that we have to  
11 submit him the statement and I asked my relatives  
12 back in that country and they provided with a  
13 statement showing that 70,000 rubles was  
14 accumulated there.

15 BY MR.

16 93. Q. Do you have any other savings accounts?

17 A. No.

18 94. Q. Do you have any other income in Russia?

19 A. No, except -- no just this pension and  
20 dividends from my enterprise.

21 95. Q. How much are dividends?

22 A. When -- when I was leaving, the dividends  
23 were four and a half thousand a year. Right now they said  
24 that it is 6,000 a year.

25 96. Q. Did you declare this money to Ontario Works

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1 when you applied for it?

2 A. Yes.

3 MR. BORNMAN: The...

4 WITNESS: My lawyer also has the statement.

5 MR. BORNMAN: ...the dividends were disclosed  
6 through counsel.

7 BY MR. TIMOKHOV:

8 97. Q. What about pension, additional pension?

9 A. Yeah everything, so this amount includes  
10 everything that was declared.

11 98. Q. So you disclosed everything, right?

12 A. Yes. Because there is only one account, ■  
13 have everything everything is coming on the same  
14 account.

15 MR. BORNMAN: And those account statements have  
16 been produced to you.

17 BY MR. TIMOKHOV:

18 99. Q. Did you disclose to Ontario Works that you  
19 have 77,000 rubles in savings back in Russian Federation?

20 MR. BORNMAN: Is this the -- is this the...

21 WITNESS: When Ontario Works done it...

22 MR. BORNMAN: ...are we referring to the...

23 WITNESS: ...yes, we did.

24 MR. BORNMAN: ...bank statements at Tab 55 of  
25 Volume 5 of the document brief of the defendants,

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1 the...

2 MR. TIMOKHOV: Counsel, I would rather if you  
3 don't interfere in the examination just  
4 (inaudible)

5 BY MR.

6 100. Q. And when did you declare it?

7 INTERPRETER: Excuse me?

8 BY MR.

9 101. Q. When did you declare it -- when did you apply  
10 for Ontario Works?

11 A. When -- when Pavel demanded this statement so  
12 it was sent from Russia I provided one copy to Pavel and  
13 also copy to Ontario Works, but we -- by that time we were  
14 not in Ontario Works, but on ODSP already.

15 102. Q. So you are getting ODSP right now?

16 A. Yes.

17 103. Q. What amount do you get from ODSP?

18 A. So last time we received \$374.

19 104. Q. So how much are you paying for the apartment?

20 A. Three hundred twelve.

21 105. Q. So how you are able to pay for the food and  
22 travelling and just?

23 A. ODSP consider our Russian pensions.

24 106. Q. And what is the amount of your Russian  
25 pensions?

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1           A. Yeah, but we withdraw \$100 every month, but  
2 this was not the financial help, it was compensation for  
3 the expenses that we had by registering Svetlana and  
4 granddaughter on our property because they -- the common  
5 all sources increase -- doubled after this registration.

6 114.       Q. Is it true that you withdrew more than 100,  
7 sometimes 300, 400?

8           A. No. Only once we withdrew \$600. One hundred  
9 dollars for us and \$500 we gave to Pavel's friend who he  
10 owes a big amount of money, and we have the receipt.

11 115.       Q. And you have a copy of that receipt, right?

12           A. I have the original at home. And my lawyer  
13 has the copy.

14 116.       Q. And when you came to Canada Danilovs promised  
15 that you would be living separately in an apartment?

16           A. Yes.

17 117.       Q. And they rented an apartment for you?

18           A. No.

19 118.       Q. But you expected to live in an apartment?

20           A. Yes.

21 119.       Q. You didn't expect that you would be living in  
22 a house?

23           A. Well, when we came they said that in two  
24 months the house will be ready to move in and we moved into  
25 the house.

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1 120. Q. Why do you think Danilovs would allow you to  
2 live in their house?

3 A. Because he said that this house was purchased  
4 on our money and it was registered on my name.

5 121. Q. Why do you think he would register a house  
6 under your name?

7 A. Because this is what they said.

8 122. Q. But that was the first time you heard it,  
9 right?

10 A. Yeah, when we came they said that this house  
11 is purchased on your name.

12 123. Q. But you didn't consider Pavel to be your  
13 friend, why would he register his house under your name?

14 A. We trusted them because whatever they say, we  
15 trusted them.

16 124. Q. And did you like the house?

17 A. Well we lived there it was normal.

18 125. Q. And you had a car and you had everything that  
19 you were promised, you were happy at that time?

20 A. At that time, yes.

21 126. Q. And you knew that at the same time you left  
22 you lived in a big house Danilovs had to live in a small  
23 three of Danilovs, your granddaughter and Pavel and  
24 Svetlana were living in a smaller apartment?

25 A. Yeah, we knew that they lived in two bedroom

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1           A. It's different. It depends on the cost of  
2 American dollar.

3 107.       Q. So on the average?

4           A. Average between \$600 to \$700 for both of us.

5 108.       Q. And if you declare 150 Danilov's paid you,  
6 150 monthly payments Danilovs paid to you?

7           A. Yes.

8 109.       Q. So before you immigrated just to Canada, did  
9 you know that Pavel and Svetlana had some sort of difficult  
10 financial situation that they had limited income?

11          A. How could we know that they don't live good  
12 if they insisted on us coming here.

13 110.       Q. But you just testified that you had enough  
14 money to live comfortably using your -- your pensions in  
15 Russian Federation?

16          A. I didn't ask the question.

17 111.       Q. Did you -- did you live comfortably in  
18 Russian Federation using your pension and other income?

19          A. Yes.

20 112.       Q. Is it true that just the Danilovs were  
21 helping you financially and you were withdrawing money  
22 using their bank cards?

23          A. No.

24 113.       Q. So you didn't withdraw any money from  
25 Danilovs and they didn't help you financial at all?

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1           A. Yeah, but we withdraw \$100 every month, but  
2 this was not the financial help, it was compensation for  
3 the expenses that we had by registering Svetlana and  
4 granddaughter on our property because they -- the common  
5 all sources increase -- doubled after this registration.

6 114.       Q. Is it true that you withdrew more than 100,  
7 sometimes 300, 400?

8           A. No. Only once we withdrew \$600. One hundred  
9 dollars for us and \$500 we gave to Pavel's friend who he  
10 owes a big amount of money, and we have the receipt.

11 115.       Q. And you have a copy of that receipt, right?

12           A. I have the original at home. And my lawyer  
13 has the copy.

14 116.       Q. And when you came to Canada Danilovs promised  
15 that you would be living separately in an apartment?

16           A. Yes.

17 117.       Q. And they rented an apartment for you?

18           A. No.

19 118.       Q. But you expected to live in an apartment?

20           A. Yes.

21 119.       Q. You didn't expect that you would be living in  
22 a house?

23           A. Well, when we came they said that in two  
24 months the house will be ready to move in and we moved into  
25 the house.

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1 120. Q. Why do you think Danilovs would allow you to  
2 live in their house?

3 A. Because he said that this house was purchased  
4 on our money and it was registered on my name.

5 121. Q. Why do you think he would register a house  
6 under your name?

7 A. Because this is what they said.

8 122. Q. But that was the first time you heard it,  
9 right?

10 A. Yeah, when we came they said that this house  
11 is purchased on your name.

12 123. Q. But you didn't consider Pavel to be your  
13 friend, why would he register his house under your name?

14 A. We trusted them because whatever they say, we  
15 trusted them.

16 124. Q. And did you like the house?

17 A. Well we lived there it was normal.

18 125. Q. And you had a car and you had everything that  
19 you were promised, you were happy at that time?

20 A. At that time, yes.

21 126. Q. And you knew that at the same time you left  
22 you lived in a big house Danilovs had to live in a small  
23 three of Danilovs, your granddaughter and Pavel and  
24 Svetlana were living in a smaller apartment?

25 A. Yeah, we knew that they lived in two bedroom

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1 apartment and every weekend they came to us as to their  
2 home.

3 127. Q. And you were dedicated two rooms in that  
4 house, that is where you lived?

5 A. Yes.

6 128. Q. And in 2009 there was a discussion between  
7 you and -- between you and Danilovs that there was some  
8 financial problems with the family caused by financial  
9 crisis?

10 A. Yes. And they moved into the same house.

11 129. Q. Isn't it true that Danilovs lived in Barrie  
12 only because your granddaughter-in-law -- well, Anastassia,  
13 was attending the university and they couldn't move to the  
14 house earlier?

15 A. I don't understand your question.

16 130. Q. Did you expect Danilovs to move into the  
17 house after Anastassia would graduate from the university?

18 A. There were no conversation on this topic.

19 131. Q. But you expected it?

20 A. Maybe we thought they might move in -- they  
21 might move in, but the matter is that Pavel worked in  
22 Toronto and to go to his work every morning from here.

23 132. Q. Did you have a discussions that Pavel and  
24 Svetlana were purchasing this house as an investment  
25 property and they wanted to resell it?

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1 A. No, there were no conversations like this.

2 133. Q. Did you have conversations that Pavel and  
3 Svetlana were renting the apartment for a while and then  
4 they were expected to move to the house to save money?

5 A. No, there were no conversation. They decided  
6 to move in as they explained that there was a crisis and it  
7 was hard for them to pay the rent and the house and that's  
8 why they decided to move in.

9 134. Q. So you considered the house to be your house?

10 A. As he told that it was registered on my name  
11 so I thought and I learned only that that house is not on  
12 my name when I applied to legal clinic for advice.

13 135. Q. And despite this belief you had -- you lived  
14 in two rooms that were dedicated for you by Danilovs?

15 A. Yeah.

16 136. Q. And after Danilovs moved into the house, how  
17 comfortable did you feel about it?

18 A. How to say, they lived in their own room, we  
19 lived in our room.

20 137. Q. So you had certain degree of privacy then?

21 A. Just -- didn't understand. Could you please  
22 repeat?

23 138. Q. You had certain degree of privacy there  
24 didn't you?

25 A. Yeah, we had two bedrooms -- small bedrooms.

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1 139. Q. And is it fair to say that Svetlana just was  
2 taking care of you as she was cleaning the house, she was  
3 cooking pretty much she was taking good care of you?

4 A. I vacuumed all the house.

5 140. Q. How often?

6 A. Once a week as it should be.

7 141. Q. Did you cook?

8 A. Me, no. At the beginning sometimes Svetlana  
9 cook, sometimes Alla, but later on Svetlana limited Alla's  
10 activity and she said, 'I will cook. Only myself will  
11 cook'

12 142. Q. Who was doing groceries?

13 A. Svetlana drove.

14 143. Q. Did you pay for the groceries?

15 A. No, we didn't pay because they sponsored us  
16 and they paid this from the sponsor.

17 144. Q. So you expected them to pay for everything  
18 because they was your sponsors?

19 A. Yes.

20 145. Q. For how long did you support them -- suppose  
21 they would sponsor you?

22 A. I thought according to the agreement that was  
23 signed for 10 years.

24 146. Q. Which agreement?

25 A. The -- the agreement that would -- was signed

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1 by Svetlana, Pavel and Alla with Immigration regarding  
2 sponsorship.

3 147. Q. And where would they get money to support  
4 you?

5 A. Well, they signed this agreement so they  
6 promised something.

7 148. Q. Did they expect a compensating for it -- did  
8 you expect them to compensate them for such compensate?

9 A. No. Because in the letter that they send us  
10 in the item -- in the letter that they send us item 1  
11 subsection 2 and 5 they said that pensioners here in Canada  
12 they sell their properties, they deposit their money for 10  
13 percent risk free and they live on those money risk free.

14 149. Q. And you have signed a will just giving  
15 Danilovs Svetlana Danilova all your money and all your  
16 property in case of your death?

17 A. No, it was not like this. We were brought to  
18 the notary public to sign power of attorney that they can  
19 deal with the banks and other institutions on our behalf ,  
20 but -- because there was no Russian interpreter in that  
21 office and whatever Pavel told us we trusted him, and we  
22 signed, but it happened that it was not the power of  
23 attorney, but the will that we signed.

24 150. Q. And Alla didn't to understand that it was a  
25 will as well -- Alla didn't understand that it was a will,

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1 she thought it power of attorney as the same?

2 MR. BORNMAN: Well, Alla -- Alla can answer that  
3 question.

4 WITNESS: No, Alla didn't know because when we  
5 went there because we didn't know language and  
6 whatever Pavel told us they said -- they  
7 explained us that this is the power of attorney  
8 to deal on their behalf with the bank and that  
9 institutions, and we signed it.

10 BY MR. TIMOKHOV:

11 151. Q. Would you sign this will if they explained it  
12 to you, that it was a will?

13 A. No.

14 152. Q. Did you expect that the money would be paid  
15 back to you -- the money just you transferred?

16 A. Yeah, I'm saying to you that what it was  
17 written in their letter that they deposit this money under  
18 10 percent and this -- we will live on this 10 percent of  
19 that amount.

20 153. Q. The same letter said that you could deposit  
21 it for four percent to the bank, why didn't you do it?

22 A. You know when we transferred those money he  
23 had then after that we didn't have any access to those  
24 money.

25 154. Q. So would it be fair to say that Danilovs

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1 completely managed all -- all of your affairs living  
2 expenses and financial matters, bank accounts, so?

3 A. Yeah, they managed. Not only those money  
4 that we transferred, but until December 2011 we had no  
5 access to our pensions.

6 155. Q. Is it true that you had wills with Danilovs  
7 as beneficiaries in Russian Federation?

8 A. No.

9 156. Q. Did you have ever showed interest in  
10 financial affairs or taxes in your discussions with  
11 Danilovs?

12 INTERPRETER: What else?

13 MR. TIMOKHOV: And your financial planning?

14 WITNESS: No.

15 MR. BORNMAN: Sorry, what was the question again,  
16 do you have an interest in?

17 MR. TIMOKHOV: Did you ever have interest in  
18 financial affairs.

19 MR. BORNMAN: Okay.

20 BY MR. TIMOKHOV:

21 157. Q. You -- you never tried to discuss taxes or  
22 finances with Pavel or Svetlana?

23 A. It was impossible to discuss with them.

24 158. Q. You signed so called loan agreement at some  
25 point of time?

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1 A. What loan?

2 159. Q. Ah, loan agreement.

3 MR. TIMOKHOV: Can we get off record please for a  
4 second.

5 (Off Record)

6 BY MR.

7 160. Q. I'm talking about Volume 1 of document brief  
8 of the plaintiff that is Tab 14 and the document entitled,  
9 Loan Activity Agreement between (inaudible)?

10 A. They don't have the Russian version of this.  
11 They said that everything is okay and we signed.

12 161. Q. And when did you sign it, how long after you  
13 came to Canada?

14 A. I do not remember.

15 162. Q. Was it after Pavel told you that he has  
16 financial difficulties?

17 A. No, about financial problems he started  
18 talking in 2009.

19 163. Q. And when did you sign it?

20 A. If we look at this paper it says June 14th is  
21 the next day after our arrival.

22 164. Q. But do you remember signing it the next day  
23 after your arrival?

24 A. No, I do not remember.

25 165. Q. So it is a possibility that you signed it a

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1 long time after your arrival, is it?

2           A. Everything could happen. I do not remember  
3 when we sign it, but I see that these are our signatures  
4 and the date it shows here June 14th when we - but we  
5 arrived on June 13th.

6 166.       Q. And you don't consider this document to be  
7 binding -- you didn't agree to this?

8           A. No.

9 167.       Q. Did you get translation of this document  
10 before?

11          A. No.

12 168.       Q. Did you discuss this document with a lawyer  
13 so Yana -- Yana Skybin?

14          A. Well it's just right now when I saw this  
15 document and how can I discuss it with anyone and why Yana  
16 Skybin, why.

17 169.       Q. Your lawyer didn't discuss with you as well?

18           MR. BORNMAN: Are you asking, did he discuss it  
19 with counsel?

20           MR. TIMOKHOV: I mean -- I mean did -- the  
21 question is, did he ever discuss       did he -- was  
22 he ever explained the meaning by       this document  
23 by anybody?

24           WITNESS: No.

25 BY MR. TIMOKHOV:

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1 170. Q. So you just signed it?

2 A. Yeah it happened so these are our signatures,  
3 but I do not recall this document. When we came to Canada  
4 -- we flew to Canada on 13th of June we arrived to our home  
5 approximately at 8:00 p.m. And next day, because of the  
6 time difference and flight length, we had to sleep to have  
7 some rest and to sign some documents right on the next day.

8 171. Q. Did Pavel ever discuss with you or Alla tax  
9 savings and ask you to sign any documents to save the  
10 family taxes?

11 A. No, they filled the tax papers and they  
12 didn't explain it to us. And only in 2011 I learned that  
13 in 2010 as if they paid us 40,000.

14 172. Q. And where did you find this information?

15 A. Printout from the Revenue Canada.

16 173. Q. You didn't speak much English, how -- how did  
17 you request this document from Revenue Canada?

18 A. I do not remember, somebody of our friends  
19 helped us.

20 174. Q. Did you often ask friends for help?

21 A. It happened when we needed when there is no  
22 other way.

23 175. Q. Was it Yana Skybin?

24 A. No.

25 176. Q. And when did you find out about this

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1 information?

2 A. Which one?

3 177. Q. That Danilovs declared 40,000 of income on  
4 your behalf?

5 A. When we prepared our taxes for 2011 we  
6 retained the accountant and the accountant helped us to  
7 request the documents.

8 178. Q. So that was in 2012 when you filled taxes for  
9 2011?

10 A. Yes.

11 179. Q. So 2012 was first time you found out that  
12 Danilovs declared 40,000 income on your behalf?

13 A. Yes.

14 180. Q. Did Yana ever helped you with taxes.

15 A. No. I told you that we retained -- as I  
16 explained you, that we retained an accountant who helped us  
17 to deal with this issues and even later on when we wanted  
18 to clarify something our accountant tried to apply, but  
19 somebody blocked all the information and we have to re-open  
20 it again.

21 181. Q. And you never gave Yana Skybin authority to  
22 act as your representative before Revenue Canada?

23 A. No. No, we have lawyer. Oh, sorry, not a  
24 lawyer. We have an accountant -- an accountant.

25 182. Q. And at some point. in August or September you

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1 -- just in 2011 you closed accounts in Scotia Bank and TD?

2 A. In TD bank I never had any access to any  
3 account, but in Scotia bank in 2011 we open a new account  
4 and we send information to our -- our company who -- to  
5 transfer Russian pension to this account.

6 183. Q. But you don't speak English, how did you open  
7 account in Scotia bank?

8 A. In Scotia bank the worker -- there was  
9 Russian speaking worker so we applied to her.

10 184. Q. And she helped you to close the account as  
11 well your old account?

12 A. No. I even didn't know that there was an  
13 account there.

14 185. Q. So you never closed account in Scotia bank --  
15 your account in Scotia bank.

16 A. My account, no.

17 186. Q. Your joint account with your wife and  
18 Danilovs?

19 A. Yeah, we closed the joint account in CIBC  
20 bank that was on Alla, Svetlana's and my name.

21 187. Q. When did you do it -- when did you close it?

22 A. So in April it was the first time when he  
23 deceived then April -- in June -- Either June or July. So  
24 it happened when he transferred to this account 1,033 and  
25 immediately the same day he withdrew 800 something leaving

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1 there only 150.

2 188. Q. By, he, you mean who?

3 A. Danilovs, they send us. I don't who exactly  
4 he or she, but Danilovs. They -- the money that were  
5 transferred, 1,033.

6 189. Q. And who helped you with closing CIBC account?

7 A. Bank manager.

8 190. Q. Did Yana Skybin ever helped you with closing  
9 account?

10 A. No.

11 191. Q. She never went to bank with you and she never  
12 translated anything for you?

13 A. No.

14 MR. BORNMAN: We're at 6:15.

15 MR. TIMOKHOV: Just I need another half hour,  
16 that's it.

17 BY MR. TIMOKHOV:

18 192. Q. And you had -- you had some credit cards that  
19 Danilovs gave you?

20 A. When?

21 193. Q. When did they give you credit cards?

22 A. They gave us when we came in 2008.

23 194. Q. Did you use credit cards?

24 A. Yes. We both on medical -- on medicine,  
25 something of (inaudible) and then it turned out that those

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1 credit cards were paid from our pension.

2 195. Q. But you said that pretty much you were not  
3 interested in financial affairs and you expected Danilovs  
4 to manage your financial affairs?

5 A. Could you please repeat, I didn't understand.

6 196. Q. But you said that you are not interested in  
7 financial affairs and in taxes?

8 A. Why the taxes? When we plan to come here we  
9 were told, 'That your pension will be used for small  
10 expenses like to go to cafeteria, to cinema, to meet with  
11 your friends'

12 197. Q. And how much was your pension -- did you tell  
13 how much did you -- was your pension -- did you tell  
14 Danilov your pension was at that time?

15 A. When? When we still were in Peter -- we  
16 mentioned about our pension in rubles because we didn't  
17 know how it will be converted because the pension was sent  
18 from Russia to CIBC bank in U.S. dollars and then it was  
19 converted into Canadian dollars finally.

20 198. Q. But you said that apparently it will be  
21 around \$200, right?

22 A. I didn't say this.

23 199. Q. How much did you say?

24 A. As I told you before, that according to the  
25 last data for both of us it was between 600 and 700 a

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1 month.

2 200. Q. Couldn't you cover your everyday expenses  
3 using credit cards?

4 A. Which credit card? On 17th of October when  
5 we left this house all credit cards were taken away from  
6 us.

7 201. Q. But you -- you claimed you left the house  
8 because of financial difficulties, but you had access to  
9 credit -- credit cards before October 2011?

10 MR. BORNMAN: Sorry?

11 INTERPRETER: It's a little bit....

12 BY MR. TIMOKHOV:

13 202. Q. Wasn't the main reason you left the house  
14 financial difficulties?

15 MR. BORNMAN: Sorry, ask that question.

16 WITNESS: Financial and morale and it went to  
17 fight.

18 BY MR. TIMOKHOV:

19 203. Q. But why did you have financial problem if you  
20 access to credit cards?

21 A. Because he started cover all our expenses  
22 from our pension even the gasoline that he promised to pay  
23 he took from our pension.

24 204. Q. Did it make any difference for you where they  
25 take money out?

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1           A. But it was from our pension, but it was told  
2 to us they will not touch our pension and -- but when we  
3 came we had no access to our pension. For example, if we  
4 want to -- if we need cash \$100, we first we have to ask  
5 Svetlana to -- about this thing and then in two days she  
6 will arrange us to get this \$100 cash.

7 205.       Q. So it made you feel uncomfortable that just  
8 lack of control over your finances?

9           A. Financial as well as our behaviour we were  
10 not allowed to see -- to meet our friends.

11 206.       Q. So did you have many friends at the time?

12           A. Yeah, we did and right now we have lots of  
13 friends.

14 207.       Q. You said first you were comfortable living at  
15 the same -- in the same house with Dan:Llovs because you had  
16 certain degree of privacy?

17           A. Yeah, at the beginning it was like this, but  
18 later everything started spoiling worse and worse.

19 208.       Q. And why do you think it started getting  
20 worse?

21           A. Because we were still alive. We didn't die.  
22 Because he -- he stated why -- 'Why because the time you --  
23 you have to live -- the time is left for you to live only  
24 two years because you are -- both of you are diagnosed with  
25 cancer'.

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1 209. Q. And do you think it was Pavel's fault of  
2 Svetlana's fault mostly?

3 A. Fault of what in what?

4 210. Q. Deterioration of this relationship.

5 A. Yeah, it's them who started and they have  
6 and what even happened when Svetlana talked to Alla she had  
7 bruises all over arms and upper body and we went to school,  
8 she tried to cover all those places, but people saw those  
9 bruises.

10 211. Q. And who causes bruises?

11 A. Svetlana talking to her in this way.

12 212. Q. And where did the bruise were on the neck or  
13 on the arms, you said?

14 A. No, I didn't see the neck. I saw the bruises  
15 on her arms, on her shoulders and when I saw what was going  
16 on I interfered and break them apart.

17 213. Q. So she was going after her neck?

18 A. I don't know what she was going -- what I saw  
19 I decided to interfere.

20 214. Q. And can you described bruises on the arm, the  
21 bruises terrible bruises?

22 A. Yeah, of course they were like bruises on her  
23 arms and shoulders.

24 215. Q. All over the arms?

25 A. No, those -- those places.

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1 216. Q. Which places, can you describe them?

2 A. This upper arm and shoulder.

3 217. Q. What about hands?

4 A. No. No, no not here.

5 218. Q. Did she have cuts too?

6 A. No.

7 219. Q. Just terrible bruises?

8 A. Yeah.

9 220. Q. How bad?

10 A. All bruises are terrible on the body.

11 221. Q. But how did they look like?

12 A. They were like.

13 222. Q. How deep they were?

14 A. Like...

15 223. Q. What size in centimetres?

16 A. ...like this. Like fingers, you know, when  
17 she grabbed like fingers.

18 224. Q. But you said she didn't get the neck?

19 A. No, she didn't get there.

20 225. Q. Did you see how she attacked -- how Svetlana  
21 attacked your wife?

22 A. Yeah, I was going downstairs -- I was going  
23 downstairs and they were talking and then all of a sudden  
24 she like approached -- approached to her and she started  
25 grabbing her on her arms and -- and against me and started

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1 shaking her.

2 226. Q. (Inaudible) attacked as well?

3 A. So I remember the incident it happened to me  
4 also. I went to the kitchen and they were arguing there  
5 and I said, 'Okay. That's enough for me. I will buy a  
6 ticket and go back to Russia'. And -- and immediately  
7 after that Pavel grabbed the plate and throw into the wall  
8 and the next step he grabbed a glass. He drop it near my  
9 legs and he said, 'And the next glass will go to your  
10 head'.

11 227. Q. And just did the plate leave any damage to  
12 the wall?

13 A. Yes.

14 228. Q. And what was the room?

15 A. It was in the kitchen.

16 229. Q. And which wall was that?

17 A. It was the one that goes to deck.

18 230. Q. And did you make any pictures of?

19 A. Yes.

20 231. Q. And did you make any pictures of bruises?

21 A. No.

22 232. Q. Do you undertake to provide the picture of  
23 the damage to the wall?

24 A. Yes, I can.

25 MR. BORNMAN: You have a picture of the damage to

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1 the wall?

2 WITNESS: Yeah. I transfer the pictures on the  
3 computer and on the computer I have this picture.

4 MR. BORNMAN: Okay.

5 MR. TIMOKHOV: So we have undertaking, right?

6 MR. BORNMAN: We'll get you a copy of that  
7 photograph, yes.

8 UNDERTAKING NO. To provide copy of photograph  
9 of damage to wall done by plate.

10 BY MR.

11 233. Q. And why did you make this picture?

12 A. Because the situation was so hot that I  
13 decided to make a picture and if there is a -- a situation  
14 that I have to submit proof, so I will show this picture.

15 234. Q. And who told you to make pictures?

16 A. Myself.

17 235. Q. And you made the picture of the wall, but you  
18 didn't make a picture of bru -- of terrible bruises on your  
19 wife's hands?

20 A. At that time I didn't react in the right way.

21 236. Q. And you went to YMCA and complained about  
22 abuse, right?

23 A. No, we didn't complain. Simply our friends  
24 talked to Alla and they saw those marks and they ask what  
25 happen.

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1 237. Q. And Alla asked you to show -- to show the  
2 bruises, right Alla asked your wife to show the bruises  
3 to Alla not to Alla, sorry. Yana asked Alla to show  
4 bruises to her?

5 A. No, at that moment -- at that moment Yana  
6 didn't even know about this. Simply we have lots of  
7 friends, but Yana she's the representative of YMCA.

8 238. Q. So Yana never saw the bruises?

9 A. Maybe she did see because we didn't discuss  
10 this topic with her.

11 239. Q. But when the attack took place long before  
12 you moved out of the house?

13 A. No, when we -- it couldn't happen when we  
14 left. It was escalating and it was before we left the house  
15 until it escalated to the moment when we had to leave.

16 240. Q. When was it approximately (inaudible)?

17 A. Somewhere after July of '11 -- 2011.

18 241. Q. So is it true that whenever you had some  
19 unanswered questions you went to Yana for advice --  
20 friendly advice and consultation?

21 A. No, if we needed some documents to make so we  
22 come to her and ask her how to do this so that document so  
23 she help us, she explained us everything. So we do the  
24 documents and we leave. Because Yana works there and her  
25 duty is to provide legal assistance to the students who

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1 study in this school.

2 242. Q. And you ask her for help when you felt that  
3 you were abused by Pavel and Svetlana?

4 INTERPRETER: Could you please repeat?

5 BY MR. TIMOKHOV:

6 243. Q. And you asked for help from Yana when you  
7 felt that you were abused by Svetlana and Pavel?

8 A. No. No, we didn't ask her. Why Yana how --  
9 what is the relation between Yana and what happened in the  
10 house.

11 244. Q. So whom did you ask for help in finding  
12 social housing for you to separate?

13 A. We went to social services.

14 245. Q. Did you go directly to social services?

15 A. Yes.

16 246. Q. And who was translating for you?

17 A. There was a lady who knew English there.

18 247. Q. What was the name of the lady?

19 A. It was in the middle of 2011 and it like long  
20 time ago when she introduce us to the social worker then we  
21 no longer had contact with Yana and we contacted directly  
22 through the social worker.

23 248. Q. But it was not Yana, right?

24 A. No.

25 249. Q. Yana never helped you with getting social

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1 housing?

2 A. No.

3 250. Q. You never discussed -- you never ask any  
4 questions, or your wife, about social housing?

5 A. I don't know about this. The social housing  
6 -- with social -- as far as social housing concern, we  
7 discussed only with the social worker. When we left we  
8 contacted social work and then they advised us where we go  
9 -- go and stay overnight.

10 251. Q. And Yana didn't help you to move -- to move  
11 your things from the house?

12 A. No. No.

13 MR. BORNMAN: We're now at 6:36.

14 MR. TIMOKHOV: All right just five more minutes  
15 and that's it.

16 BY MR. TIMOKHOV:

17 252. Q. And when you moved out you had certain  
18 discussions with a number of your friends did you ask --  
19 did you describe the situation -- okay?

20 INTERPRETER: No, no, that's okay.

21 BY MR. TIMOKHOV:

22 253. Q. Did you describe the situation to the social  
23 worker that there is the physical abuse in the family?

24 A. No, we were talking to the social work --  
25 worker about the escalation of the situation and then she

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1 introduced us to the persons from police. And that lady  
2 provided us with the -- a phone -- with the emergency  
3 phone.

4 254. Q. Did you complain to your friends about that  
5 physical abuse and emotional abuse -- did you describe the  
6 situation at the time to your friends?

7 A. Yeah, sure.

8 255. Q. Who are you defence you discussed -- yeah,  
9 just translate.

10 A. With the -- with ones that we study at  
11 school.

12 256. Q. Can you name several of them?

13 A. Why? So why to provide you with the names so  
14 that she could call them back like she called Julia and  
15 started yelling at her, 'Why you provide any assistant to  
16 them you want to own their money' .

17 257. Q. But you...

18 MR. BORNMAN: You need to answer the question.

19 BY MR.

20 258. Q. ...you have to name these people.

21 A. Julia, we discuss it with Julia.

22 259. Q. Julia Savchuk?

23 A. Yes.

24 260. Q. Did you discuss it with Alex Savchuk?

25 A. Yeah, but they are husband and wife.

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- 1 261. Q. Who else?  
2 A. Emma and Stal.  
3 262. Q. Tatrovs?  
4 A. Yes, Tatrovs.  
5 263. Q. Who else?  
6 A. I do not remember all of them.  
7 264. Q. And what did you tell them?  
8 A. What happened, this is what I told him.  
9 265. Q. And what happened?  
10 A. What I just told you.  
11 266. Q. So you told them everything you just told us?  
12 A. Yes.  
13 267. Q. And how did they react?  
14 A. How could they react for this.  
15 268. Q. You have to tell how.  
16 A. They -- they took our side, of course.  
17 269. Q. And did you discuss with Lika Severin or her  
18 husband -- Severin?  
19 A. No.  
20 270. Q. But your wife did, didn't she?  
21 A. No.  
22 271. Q. What about Irina Fleming and Nikita Lavreka?  
23 A. Yeah, we discuss it with her.  
24 272. Q. What about Zina and Ivan Guschenko Zina  
25 and Ivan, Guschenko's friends -- did you discuss it with

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1 Zina and Ivan, husband -- Zina's husband?

2 A. I do not remember.

3 273. Q. But you know them, right?

4 A. Yes.

5 274. Q. Do you know, Konstantin and Svetlana  
6 Guschenko?

7 A. Oh, yeah, I know him. I didn't know his last  
8 name.

9 275. Q. Did you discuss it with him?

10 A. No. Only once when everything was okay we  
11 went to pick up mushrooms with them and that's it.

12 276. Q. And did you discuss it with Zina, with  
13 Guschenko's friend Zina -- who is Konstantin's friend Zina?

14 A. Yeah. Zina, yes, we discuss it.

15 277. Q. And her husband Ivan?

16 A. But he didn't listen to our conversation.

17 278. Q. Why was so?

18 A. He didn't show any interest. He just left  
19 us.

20 279. Q. What about Irma Vladimirovna, mother of Zoya  
21 Scherbakov?

22 A. No, I never contacted her.

23 280. Q. Did you discuss it with relatives in Russia?

24 A. Some of them -- some of them know for sure  
25 that we left, there was a bad situation at home and we

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1 left.

2 281. Q. And who -- whom did you tell it?

3 A. My brother, who else. Alla's nephew -- no,  
4 niece, sorry.

5 282. Q. What is names?

6 A. Alla's niece, Olga(phonetic) Rita, Olga's  
7 mother. My friends.

8 283. Q. Are you -- are you friends with Yana Skybin  
9 now, just do you consider yourself to be friends?

10 A. She's simply a good worker.

11 284. Q. So do -- do you guys see each other at each  
12 other's houses?

13 A. No.

14 285. Q. And she never invites you to -- like to her  
15 events like birthdays, things like that?

16 A. I do not remember. Maybe not. I do not  
17 remember the birthday. Once I remember she invited us to  
18 see her when she had some friends from Moscow.

19 286. Q. So who...

20 MR. BORNMAN: Three more questions?

21 MR. TIMOKHOV: Yeah.

22 BY MR.

23 287. Q. ...who told you...

24 MR. TIMOKHOV: Three more minutes.

25 BY MR.

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1 288. Q. ...who told you about social housing first  
2 time, where did you hear it?

3 A. Social -- when we met with our friends from  
4 Toronto, Peter and Larissa and they told us about this.

5 289. Q. And when was it?

6 A. It was maybe somewhere. I don't -- I don't  
7 remember. Maybe in 2011, maybe in 2010. When our  
8 relationships started spoiling and we started thinking  
9 about different things.

10 290. Q. And how long did they wait for social house -  
11 - housing?

12 INTERPRETER: Sorry?

13 BY MR. TIMOKHOV:

14 291. Q. How long did they wait for social housing?

15 A. Maybe about four years.

16 292. Q. And when was last time you saw Yana Skybin?

17 A. I do not remember...

18 293. Q. When was it?

19 A. ...when we attended school we met her in the  
20 corridor. So November 6 of last year we stopped attending  
21 this school.

22 294. Q. And that was last time 2011, right, when you  
23 saw Yana?

24 A. Yeah.

25 295. Q. And -- and isn't it true that in February you

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1 attended her wedding and she treated you as parents?

2 INTERPRETER: In what year?

3 BY MR.

4 296. Q. That in February of this year you went to her  
5 wedding no, she didn't represent, so did you go to her  
6 wedding in 2014?

7 A. Yes.

8 297. Q. So you just lied that you didn't see her in  
9 2014?

10 A. But the question was related to the school,  
11 if I saw in school, so I didn't see her in school.

12 298. Q. I have no further questions.

13 MR. BORNMAN: Just before -- no, just before we  
14 go off the record, make note of the time, it's  
15 6:48.

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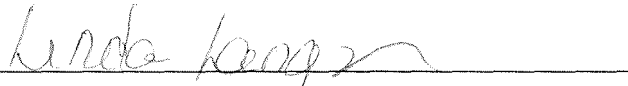
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ONTARIO SUPREME COURT OF JUSTICE

BETWEEN:

SVETLANA DANILOVA AND PAVEL DANILOV

Plaintiff-.

- and -

ALLA NIKITYUK, VALENTIN NIKITYUK, YANA  
SKYBIN, YOUNG MENS CHRISTIAN ASSOCIATION  
operating as YMCA SIMCOE/MUSKOKA AND YMCA  
SIMCOE/MUSKOKA NEWCOMER SERVICES

Defendants

Court File No. 13-1101

BETWEEN:

SVETLANA DANILOVA AND PAVEL DANILOV

Plaintiffs

- and -

ALLA NIKITYUK, VALENTIN NIKITYUK, YANA  
SKYBIN, YOUNG MENS CHRISTIAN ASSOCIATION  
operating as YMCA SIMCOE/MUSKOKA AND YMCA  
SIMCOE/MUSKOKA NEWCOMER SERVICES

Defendants

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Examination for Discovery of:

VALENTIN NIKITYUK

Taken on: April 8, 2014

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