

ONTARIO
Superior Court of Justice



Small Claims - Superior Court of Justice

Small Claims Court

47 Sheppard Ave E, North York, ON M2N 1N1

Address

(416) 326-3554

Phone number

Plaintiff's Claim

Form 7A Ont. Reg. No.: 258/98

SC-25-00000539-0000

Claim No.

Plaintiff No. 1

☐ Additional plaintiff(s) listed on attached Form 1A.

☐ Under 18 years of age.

Last name, or name of company Chedie		
First name Lakshmindya	Second name Shivanghi	Also known as Chandice
Address (street number, apt., unit) [REDACTED]		
City/Town [REDACTED]	Province Ontario	Phone no. [REDACTED]
Postal code [REDACTED]	Email address [REDACTED]	
Representative		Law Society of Ontario no.
Address (street number, apt., unit)		
City/Town	Province	Phone no.
Postal code	Email address	

Defendant No. 1

☐ Additional defendant(s) listed on attached Form 1A.

☐ Under 18 years of age.

Last name, or name of company Fernandes		
First name Joshua	Second name Nazareth	Also known as
Address (street number, apt., unit) [REDACTED]		
City/Town [REDACTED]	Province [REDACTED]	Phone no. [REDACTED]
Postal code [REDACTED]	Email address [REDACTED]	
Representative		Law Society of Ontario no.
Address (street number, apt., unit)		
City/Town	Province	Phone no.
Postal code	Email address	

Les formulaires des tribunaux sont affichées en anglais et en français sur le site www.ontariocourtforms.on.ca. Visitez ce site pour des renseignements sur des formats accessibles.

REASONS FOR CLAIM AND DETAILS

Explain what happened, including where and when. Then explain how much money you are claiming or what goods you want returned.

If you are relying on any documents, you **MUST** attach copies to the claim. If evidence is lost or unavailable, you **MUST** explain why it is not attached.

What happened?

Where?

When?

1. Joshua Fernandes and I began a personal relationship on March 17th, 2021. We had been working together at the same property, Toronto Marriott Markham since I joined in 2019. During this time, Joshua was living with his ex-partner but expressed he would leave her once his loan was cleared.
2. Joshua made multiple verbal commitments to marry me, met my parents twice, and expressed intentions of starting a life together.
3. He disclosed financial struggles due to a loan and persuaded me to assist him financially, stating this would enable to move in with me. Based on his representations and promises, I transferred a total amount of \$15,663.98 CAD via e-transfer between January and September 2021.
4. On November 4th 2021, Joshua ended the relationship with me in person, stating he would remain with his ex-partner. Despite my repeated requests, he has failed to repay the amount loaned.
5. In 2022, Joshua became a manager at Toronto Marriott Markham where we previously worked and rehired me. He led me to believe there might still be a chance for reconciliation, continued to act intimately towards me at work and in his car, and again ignoring my requests for repayment.
6. This situation caused significant emotional distress, affecting my mental health, personal relationships, and work performance. I had to seek medical help and was prescribed antidepressants to cope with the situation.
7. On November 5th 2024, I issued a formal letter of Demand requesting repayment by December 2024, which was ignored.
8. I have since learned that Joshua had resigned from Toronto Marriott Markham and moved to Prince Edward Island in January 2025 to work and live with his wife.

Continued on next page

I am filing a Small Claims Court lawsuit for:

1. Debt Recovery (Breach of Agreement)

- Seeking repayment of the \$15,663.98 CAD loaned to Joshua Fernandes. This is based on his verbal and written acknowledgment of the debt, even without a formally written contract.

2. Emotional Distress

- Claiming \$10,000 in damages for the emotional harm caused by his manipulative actions, false promises, and refusal to repay the loan, which led to significant mental health challenges.

How much? \$ 25,663.98
(Principal amount claimed)

☐ ADDITIONAL PAGES ARE ATTACHED BECAUSE MORE ROOM WAS NEEDED.

The plaintiff also claims prejudgment interest from January 20th, 2021 under:
(Date)

(Check only one box)
☒ the Courts of Justice Act
☐ an agreement at the rate of _____ % per year
and postjudgment interest, and court costs.

Prepared on: January 14th, 2025

Stewart
(Signature of plaintiff or representative)

Issued on: JAN 16 2025, 20

A. Cutler
(Signature of clerk)

Andrew Cutler

CAUTION TO DEFENDANT:

IF YOU DO NOT FILE A DEFENCE (Form 9A) and proof of service (either an Affidavit of Service (Form 8A) or a Lawyer or Paralegal's Certificate of Service (Form 8B)) with the court within twenty (20) calendar days after you have been served with this Plaintiff's Claim, judgment may be obtained without notice and enforced against you. Forms and self-help materials are available at the Small Claims Court and on the following website:
www.ontariocourtforms.on.ca.

CAUTION TO PARTIES:

Unless the court orders or the rules provide otherwise, THIS ACTION WILL BE AUTOMATICALLY DISMISSED if it has not been disposed of by order or otherwise two (2) years after it was commenced and a trial date or assessment under subrule 11.03(2) has not been requested.