

ONTARIO
SUPERIOR COURT OF JUSTICE

THE HONOURABLE
JUSTICE J. WILSON

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MONDAY, THE 14TH
DAY OF JANUARY, 2019



BETWEEN:

DANIEL JOVKOVIC

PLAINTIFF

and

2329368 ONTARIO INC. aka DASILVA MOTORSPORTS LTD.
and SILVERIO DASILVA aka MANNY DASILVA

DEFENDANTS

JUDGMENT

THIS ACTION, was heard on January 14, 2019, at 393 University Avenue,
Toronto, Ontario *as an undefended trial on damages.*

ON READING THE PLEADINGS AND MATERIALS FILED BY PLAINTIFF'S
COUNSEL and on hearing the evidence of witnesses and submissions of counsel for the
Plaintiff,

1. THIS COURT ORDERS AND DECLARES that the claims of the Plaintiff, Daniel Jovkovic against the Defendants, 2329368 Ontario Inc. A.K.A. DaSilva Motorsports

Ltd. and Silverio DaSilva A.K.A. Manny DaSilva are allowed and that the Defendants, 2329368 Ontario Inc. A.K.A. DaSilva Motorsports Ltd. and Silverio DaSilva A.K.A. Manny DaSilva shall pay to the Plaintiff Daniel Jovkovic:

- i. \$203,140.74 in damages for excess reasonable costs;
- ii. \$50,000.00 in damages for loss of use; and
- iii. \$50,000.00 in punitive and exemplary damages.

2. **THIS COURT ORDERS** that the Defendants, 2329368 Ontario Inc. A.K.A. DaSilva Motorsports Ltd. and Silverio DaSilva A.K.A. Manny DaSilva shall pay to the Plaintiff, Daniel Jovkovic, of \$5,641.82 in prejudgment interest on the sum of \$145, 809.12, from May 2, 2015.

3. **THIS COURT ORDERS** that defendants, 2329368 Ontario Inc. A.K.A. DaSilva Motorsports Ltd. and Silverio DaSilva A.K.A. Manny DaSilva shall pay costs of this proceeding to the Plaintiff, Daniel Jovkovic, on a substantial indemnity basis fixed in the amount of \$118,876.75.

4. **THIS JUDGMENT BEARS POST-JUDGMENT INTEREST** on all amounts awarded above at the rate provided for in the *Courts of Justice Act, R.S.O. 1990, c. C.43* commencing on its date.

ENTERED AT / INSCRIBÉ À TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO.

JAN 21 2019

PER / PAP

JUSTICE J. WILSON

DANIEL JOVKOVIC
Plaintiff

- and -

2329368 ONTARIO INC. aka DASILVA MOTORSPORTS LTD. et al.
Defendants

Court File No.: CV-15-523869

Ontario

SUPERIOR COURT OF JUSTICE

Proceeding commenced at Toronto

JUDGMENT

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