

Suit No: CI 93-01-74984  
(Winnipeg Centre)

COURT OF QUEEN'S BENCH OF MANITOBA

BETWEEN: )

FOYER VALADE INC., )

Plaintiff, )

-and- )

RED RIVER CONSTRUCTION )  
COMPANY LIMITED, NEWKLAS )  
CONSTRUCTION CANADA LTD., )  
DAPLEX PLUMBING & HEATING )  
LTD., NUMBER TEN ARCHITEC- )  
TURAL GROUP, AND HYMAN )  
DASHEVSKY, and THE CITY OF )  
WINNIPEG )

Defendants. )

For the Plaintiff:

M. Finlayson and  
M. Richards

For Red River Construction  
Company Limited:

D. Hill & D. Brownridge

Newklas Construction:

No Appearance

Daplex Plumbing & Heating

D. Skwark & S. Blake

Number Ten Architectural  
Group:

K. Dixon

For Hyman Dashevsky:

J. Zang

For The City of Winnipeg:

No Appearance

Delivered:

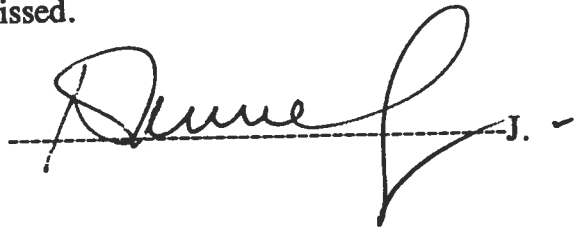
July 9, 1997

ADDENDUM

KENNEDY, J.

In the judgment rendered June 27, 1997 in the above matter, Daplex's cross-claim appears not to have been disposed of.

Daplex's cross-claim against Red River will be dismissed. Daplex, the plumbing contractor, engaged Red River to bring the line inside the building, a function normally performed by the plumbing contractor, and inasmuch as it directed Red River where to place the riser pipe, it must take responsibility for the lack of expertise of Red River on a joint and several basis with Red River, hence the cross-claim by Daplex is dismissed.

 Daniel J. -