

Grimaldi v. CF+D, 2023 ONSC 6708 • 18 pages

CITATION: Grimaldi v. CF+D Custom Fireplace Design Inc., 2023 ONSC 6708
COURT FILE NO.: CV-17-00062262-0000
DATE: 2023-12-01

ONTARIO
SUPERIOR COURT OF JUSTICE

BETWEEN:

JOSEPH GRIMALDI

Plaintiff

Noah G. Aresta, and Steven C. Singh,
counsel for the Plaintiff

- and -

CF+D CUSTOM FIREPLACE DESIGN
INC. and VINCE VOLPE

Defendants

Greta Ladanyi, counsel for the
Defendants

HEARD: November 21, 22, and 23,
2023 at Hamilton

THE HONOURABLE JUSTICE M. BORDEN

REASONS FOR JUDGMENT

Overview

- [1] Joseph Grimaldi sues the defendants, Vince Volpe and CF+D Custom Fireplace Design Inc. ("CF+D"), for wrongful dismissal. Mr. Grimaldi left his former employment for a position with CF+D as senior project manager. He was terminated without cause less than five months later and was paid two weeks' severance pay. He claims that as part of his employment contract he is entitled to a payment based on shares in CF+D.
- [2] CF+D designs and manufactures custom fireplaces. Mr. Volpe is a director and president of CF+D. His wife is the other director. The defendants say that Mr. Grimaldi had not yet earned any shares in CF+D during his employment and that he is not entitled to any payment based on shares of CF+D.
- [3] Mr. Grimaldi and Mr. Malby testified for the plaintiff. Mr. Volpe was the defendants' only witness.