

## Court of Appeal Clears Tran Family to Proceed with Lawsuit

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With last week's decision by The Manitoba Court of Appeal, the family of Kaila Tran will now launch a civil action against Drake Moslenko. Moslenko was charged with first-degree murder in Kaila's death but the charge was stayed and his case never went to trial. This is believed to be the first lawsuit in Manitoba in which a family has sued after the Crown dropped charges. TDS lawyers, **Jamie Kagan** and **Bailey Harris**, represent the Tran family.



Kaila was murdered outside her apartment on June 20, 2012. After waiting for the criminal proceedings to conclude, the family sought leave from the Court to pursue an action against Moslenko for Kaila's death outside the prescribed limitation date of two years. The Manitoba Court of Appeal on Thursday, May 11, upheld the lower court's decision that the family had only recently learned of facts of a material nature and is now free to proceed with their civil suit.

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