

No. S159759
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

TEAL CEDAR PRODUCTS LTD.

PLAINTIFF

AND:

WESTERN CANADA WILDERNESS COMMITTEE, TORRANCE COSTE, DAVE CASCAGNETTE, TREVOR SCHINKEL, JENNIFER WHITEHOUSE, MARLENE DOE, JOHN DOE, JANE DOE, AND PERSONS UNKNOWN

DEFENDANTS

ORDER MADE AFTER APPLICATION

BEFORE)
) The Honourable Mr. Justice McEwan)
))
))
))
)) December 15, 2015

ON THE APPLICATION of the Plaintiff Teal Cedar Products Ltd., on short notice to the Defendants Western Canada Wilderness Committee and Torrance Coste, Dave Cascagnette, Jennifer Whitehouse, and Marlene Doe, also known as Marlene Simmons, and without notice to Trevor Schinkel, coming on for hearing at 800 Smithe Street, Vancouver, BC V6Z 2E1 on December 15, 2015 and on hearing Dean Dalke and Alex Hudson, counsel for Teal Cedar Products Ltd., and Morgan Blakley, counsel for the Defendants Western Canada Wilderness Committee and Torrance Coste, and Marlene Simmons appearing on her own behalf, and Douglas Fugge, and no one appearing on behalf of the remaining Defendants.

THIS COURT ORDERS that:

1. The Plaintiff is granted leave to bring its application for a further interim injunction on short leave;
2. An interim injunction be granted lasting until midnight on Monday, January 4, 2016, requiring that the Defendants, by themselves, their officers, members, servants, agents, representatives, and anyone having knowledge of this Order, are restrained, enjoined and prohibited from:

- (a) impeding, physically obstructing, or in any way physically interfering with any person, including any member of the public, from gaining access to or egress from, or otherwise making use of any road, road construction site or planned road construction site situate between (i) the junction of Glad Lake Main Road and GL9 Road and (ii) the Carmanah Walbran Provincial Park boundary, as indicated on the map attached hereto (the "Roads");
 - (b) obstructing, impeding, or otherwise physically interfering with the safe passage of motor vehicles belonging to the Plaintiff, its employees, agents, contractors or suppliers, or others in privity of contract with the Plaintiff (the "Motor Vehicles") operating in the area of the Roads, and any active logging in the area of the Roads;
 - (c) obstructing, impeding or otherwise physically interfering with any construction activities conducted in the area of the Roads and any active logging in the area of the Roads by the Plaintiff, its employees, agents, contractors or suppliers, or others in privity of contract with the Plaintiff;
 - (d) physically interfering with the business, contractual or economic relationships between the Plaintiff and its employees, agents, contractors or suppliers, or others in privity of contract with the Plaintiff;
 - (e) threatening, harassing, intimidating, assaulting, obstructing, or physically interfering with the Plaintiff's employees, management staff, agents, contractors or suppliers or others in privity of contract with the Plaintiff or their families;
 - (f) conspiring to use unlawful means against the Plaintiff and its employees, agents, contractors or suppliers, or others in privity of contract with the Plaintiff, or their families; and
 - (g) ordering, aiding, abetting, counselling or encouraging in any manner whatsoever, either directly or indirectly, any person to commit the acts above mentioned or any of them.
3. An order be granted until 11:59 p.m. on Monday, January 4, 2016:
- (a) authorizing any police officer with the Royal Canadian Mounted Police, and/or the appropriate police authority in the jurisdiction in question (the "Police"), to arrest and remove any person who has knowledge of this Order and who the Police have reasonable and probable grounds to believe is contravening or has contravened any provision of paragraph 2 of this Order;
 - (b) that the Police shall, subject to their operational discretion, detain any person who the Police have reasonable and probable grounds to believe is contravening or has contravened any provision of paragraph 2 of this Order;
 - (c) the Police shall not release, but shall detain any person arrested under this order and bring that person forthwith before the British Columbia Supreme Court in Victoria, British Columbia or such other places as directed by the Court.
4. Any person affected by this Order, including the Plaintiff, has liberty to apply to the Court to set aside or vary this Order on twenty four hours' notice.

5. The Plaintiff shall abide by any order that this Court may make as to damages as a result of obtaining this injunctive relief.
6. If a blockade is in place in the area of the Roads, the Plaintiff shall make all reasonable efforts to serve a copy of this Order on all blockaders present at the blockade site.
7. The Plaintiff shall make reasonable efforts to serve the named Defendants with a copy of the entered Order by electronic means.
8. All further applications in this proceeding shall be brought in the Victoria Supreme Court or such other places as directed by the Court.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:



Signature of lawyer for the Plaintiff
DLA Piper (Canada) LLP (Dean Dalke)

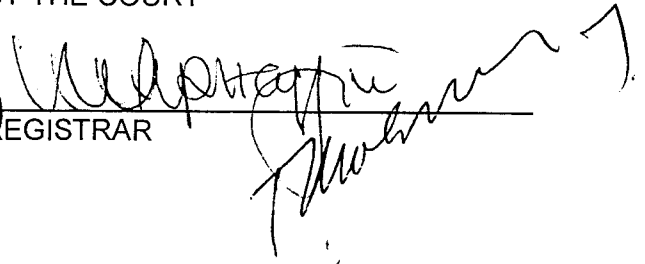


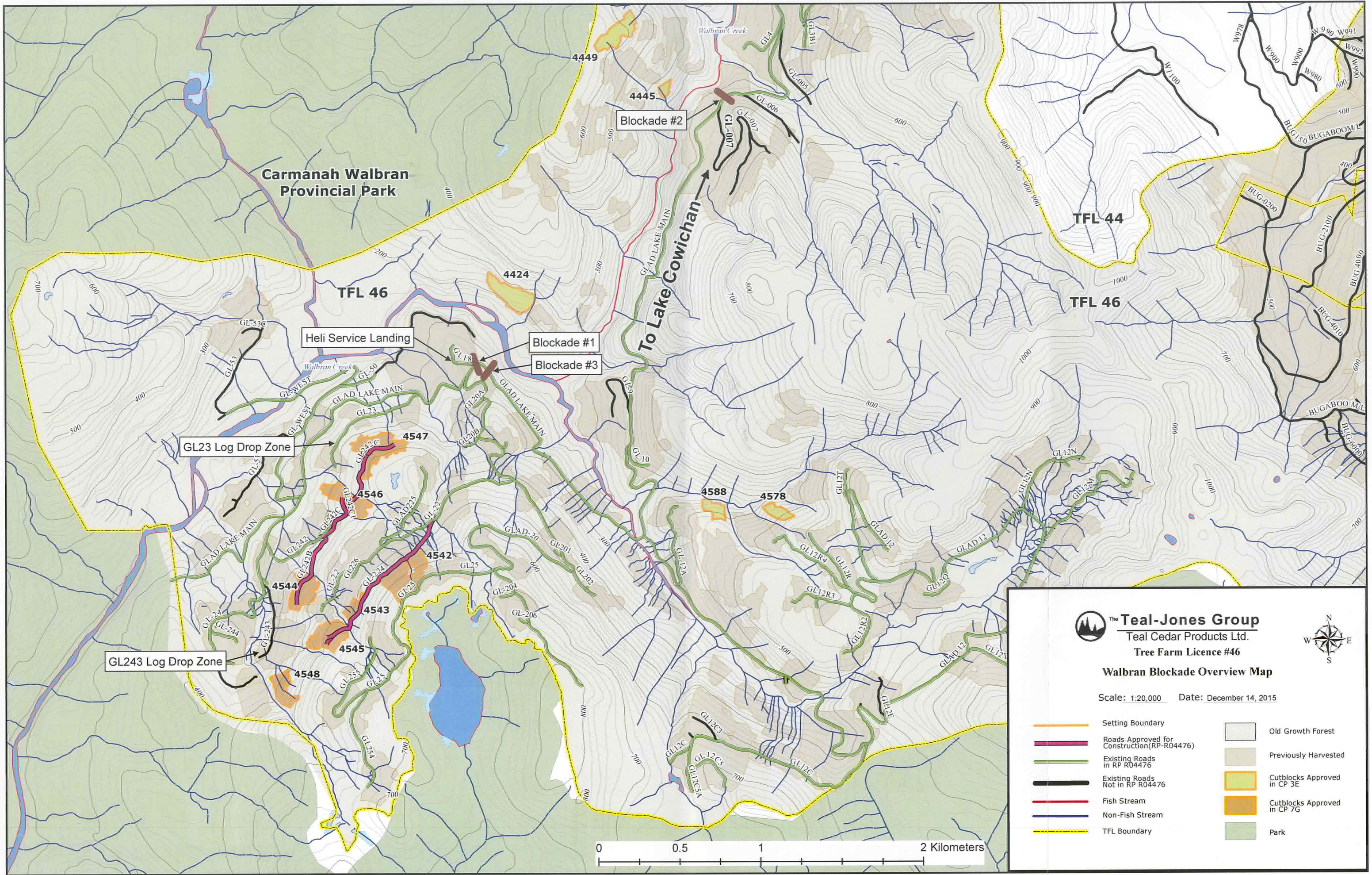
Signature of lawyer for the Defendants
Western Canada Wilderness Committee
and Torrance Coste
ecojustice (Morgan Blakley)

BY THE COURT



REGISTRAR






The Teal-Jones Group
 Teal Cedar Products Ltd.
 Tree Farm Licence #46



Walbran Blockade Overview Map

Scale: 1:20,000 Date: December 14, 2015

- | | | | |
|---|---|---|-----------------------------|
|  | Setting Boundary |  | Old Growth Forest |
|  | Roads Approved for Construction (RP-R04476) |  | Previously Harvested |
|  | Existing Roads in RP R04476 |  | Cutblocks Approved in CP 3E |
|  | Existing Roads Not in RP R04476 |  | Cutblocks Approved in CP 7G |
|  | Fish Stream |  | Park |
|  | Non-Fish Stream | | |
|  | TFL Boundary | | |



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JOHN DOE, JANE DOE, AND PERSONS UNKNOWN

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Client Matter No. 77728-00050

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