

ON READING the Motion Records, the Supplementary Affidavit of Troy Virag sworn December 13, 2021, the Affidavit of Service sworn December 11, 2021, the Second Supplementary Affidavit of Rick Cox sworn December 18, 2021, the Second Supplementary Affidavit of Troy Virag sworn December 21, 2021, the factum and authorities of the plaintiff, and on hearing the submissions of counsel for the plaintiff, counsel for the defendant Ronald Heaslip, the defendants Kailee Poisson, Dan Oakes and Trevor Bomberry, the other defendants not appearing but being served, and on the consent of Ronald Heaslip, Kailee Poisson and Dan Oakes, Trevor Bomberry taking no position except consenting to service by email:

1. **THIS COURT ORDERS** that the City's motion is adjourned to December 29, 2021 at 9:30 AM.

2. **THIS COURT FURTHER ORDERS** that, until another court order is made on December 29, 2021 or otherwise, the defendants and any person who has notice of this order are restrained from:

- (a) trespassing, continuing to trespass, or further trespassing on the property located at 282 Stanley Street in Brantford, Ontario, formerly the Arrowdale municipal golf course (the "**Property**"); and
- (b) interfering with, disrupting, obstructing, hindering, impeding, or otherwise interfering with access, ingress, or egress to the Property by City Staff, or its contractors, consultants, or agents or with any of their activities on the Property.

3. **THIS COURT FURTHER ORDERS** that the Sheriff of the City of Brantford shall enforce forthwith the terms of this order and prevent or stop breaches of this order and shall

be authorized to seek for these purposes the assistance of the Brantford Police Services (the “Police”) to accompany and assist the Sheriff including to arrest and remove any person who the Police officers have reasonable and probable grounds to believe is contravening, or has contravened, the provisions of this order except that each Police officer retains his or her discretion on the means and timing of any arrests and removal.

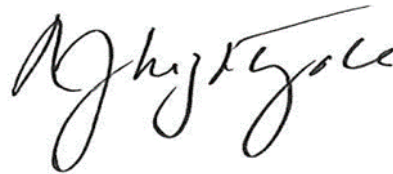
4. **THIS COURT FURTHER ORDERS** that service can be effected on the defendants as follows:

- (a) On Dan Oakes by email at [REDACTED] unless and until he retains legal counsel;
- (b) On Kailee Poisson by email at [REDACTED] unless and until she retains legal counsel;
- (c) On Trevor Bomberry, Kurt Hadowas Gibson aka Gizzo and Alexander Dawson by:
 - (i) Informing the Police’s Indigenous Liaison Officer and the Police’s Indigenous Liaison Officer informing Colin Martin; and/or
 - (ii) Posting/leaving documents outside the access gates to the Property along with an announcement by megaphone if safe to do so; and/or
 - (iii) Direct message to Trevor Bomberry’s and Alexander Dawson’s Facebook profiles.

(d) On Trevor Bomberry by email at [REDACTED] or [REDACTED] unless and until he retains legal counsel.

5. **THIS COURT FURTHER ORDERS** that this order is without prejudice to the defendants Ron Heaslip, Dan Oakes or Kailee Poisson bringing a motion(s) in the context of the main action unrelated to the injunctive relief brought by the plaintiff.

6. **THIS COURT ORDERS** that costs of this motion shall be addressed on the return of the motion.



R.J. Nightingale, J.

THE CORPORATION OF THE CITY OF BRANTFORD

Plaintiff

-and-

TREVOR BOMBERRY, et al.

Defendants

Court File No. CV-21-00000288-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

**Proceeding commenced at
Brantford**

ORDER

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