



No. S211602  
Vancouver Registry

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

**BETWEEN:**

TEAL CEDAR PRODUCTS LTD.

PLAINTIFF

AND:

KATHLEEN CODE, CAROLE TOOTILL AND WILLIAM JONES, IN THEIR  
CAPACITY AS MEMBERS OF THE "RAINFOREST FLYING SQUAD",  
UNKNOWN PERSONS OPERATING AS THE "RAINFOREST FLYING  
SQUAD", ROBERT ARBESS (ALSO KNOWN AS REUBEN GARBANZO),  
JOHN DOE, JANE DOE, AND PERSONS UNKNOWN

DEFENDANTS

**ORDER MADE AFTER APPLICATION**

	)		)
BEFORE	)	THE HONOURABLE MR. JUSTICE	)
	)		)
	)	VERHOEVEN	)

APRIL 1, 2021

ON THE APPLICATION of the plaintiff, Teal Cedar Products Ltd. coming on for hearing by telephone (800 Smithe Street, Vancouver, BC V6Z 2E1) on March 25 and 26, 2021 and on hearing Dean Dalke, counsel for the plaintiff and Philip R. Dwyer, counsel for the defendants, Kathleen Code, Carole Tootill and William Jones in their capacity as members of the "Rainforest Flying Squad":

THIS COURT ORDERS that:

1. An interlocutory injunction lasting until midnight on September 26, 2021 is granted requiring that the Defendants (by themselves, and for their officers, members, servants, agents, representatives) and anyone having knowledge of the Court's order, are restrained, enjoined and prohibited from:

- (a) impeding, physically obstructing, or in any way 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 (the "**Roads**") situate within the area bordered by (i) the E&N Railway Land Grant Boundary to the east, (ii) the San Juan River and the Pacific Rim National Park boundary to the south, (iii) the boundary of the Carmanah Walbran Provincial Park to the west, and (iv) the Nitinaht River and Nitinaht Lake to the north, as indicated on the map attached for illustrative purposes as Schedule A (the "**Injunction Area**");
  - (b) obstructing, impeding, or otherwise interfering with the safe passage of motor vehicles, equipment or machinery belonging to the Plaintiff, its employees, agents, contractors or suppliers (the "**Motor Vehicles**"), and in particular, not to come within 50 metres of the Motor Vehicles in the Injunction Area;
  - (c) obstructing, impeding or otherwise interfering with any construction activities conducted on the Roads by the Plaintiff, its employees, agents, contractors or suppliers;
  - (d) obstructing, impeding, or otherwise interfering with timber harvesting activities in the Injunction Area by the Plaintiff, its employees, agents, contractors or suppliers;
  - (e) threatening, harassing, intimidating, assaulting, physically obstructing, or physically interfering with the Plaintiff's employees, agents, contractors or suppliers or their families;
2. An order lasting until midnight on September 26, 2021 is granted:
- (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 this Order;


- (b) that the Police retain discretion as to the timing and manner of enforcement of this Order, and specifically retain discretion as to the timing and manner of arrest and removal of any person pursuant to this Order;
  - (c) that the Police retain discretion to detain and release any person without arrest who the Police have reasonable and probable grounds to believe is contravening or has contravened any provisions of this Order, upon that person agreeing in writing to abide by this Order;
  - (d) authorizing any peace officer and any member of the Police who arrests or arrests and removes any person pursuant to this Order to:
    - (i) release that person from arrest upon that person agreeing in writing to obey this Order;
    - (ii) release that person from arrest upon that person agreeing in writing to obey this Order and require that person to appear before this Court at such place as may be directed by this Court, on a date to be fixed by this Court;
    - (iii) bring that person forthwith before this Court at any location where the Court may sit;
    - (iv) detain that person in custody until such time as it is possible to bring that person before this Court; and/or,
    - (v) otherwise take steps in accordance with Part XVI of the *Criminal Code*, R.S.C. 1985, c. C-46.
3. Provided the terms of this Order are complied with, the Defendants and other persons are free to participate in a peaceful, lawful and safe protest.
4. Any person affected by the court's order, including the Plaintiff, is at liberty to apply to the Court to set aside or vary this Order on two business days' notice.

5. The Plaintiff shall abide by any order that this Court may make as to damages as a result of obtaining injunctive relief.
6. The Defendants' approval as to the form of this Court's order is dispensed with.
7. The Defendants shall pay costs of this application to the Plaintiff in any event of the cause, payable forthwith and within 60 days from the date of this Order.
8. This order may be entered at the New Westminster registry.  
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)

BY THE COURT



REGISTRAR



# SCHEDULE A



The Teal-Jones Group™

## Tree Farm License 46

### Injunction Map

Scale: 1:250,000

Date: February 18, 2021



Injunction Boundary

Blockade Locations

Roads Approved For Construction RP R05413

Roads Approved For Construction RP R05412

River or Lake

Park

TFL46 Boundary

#### Active Cutblocks

No CP

Approved in CP 20D

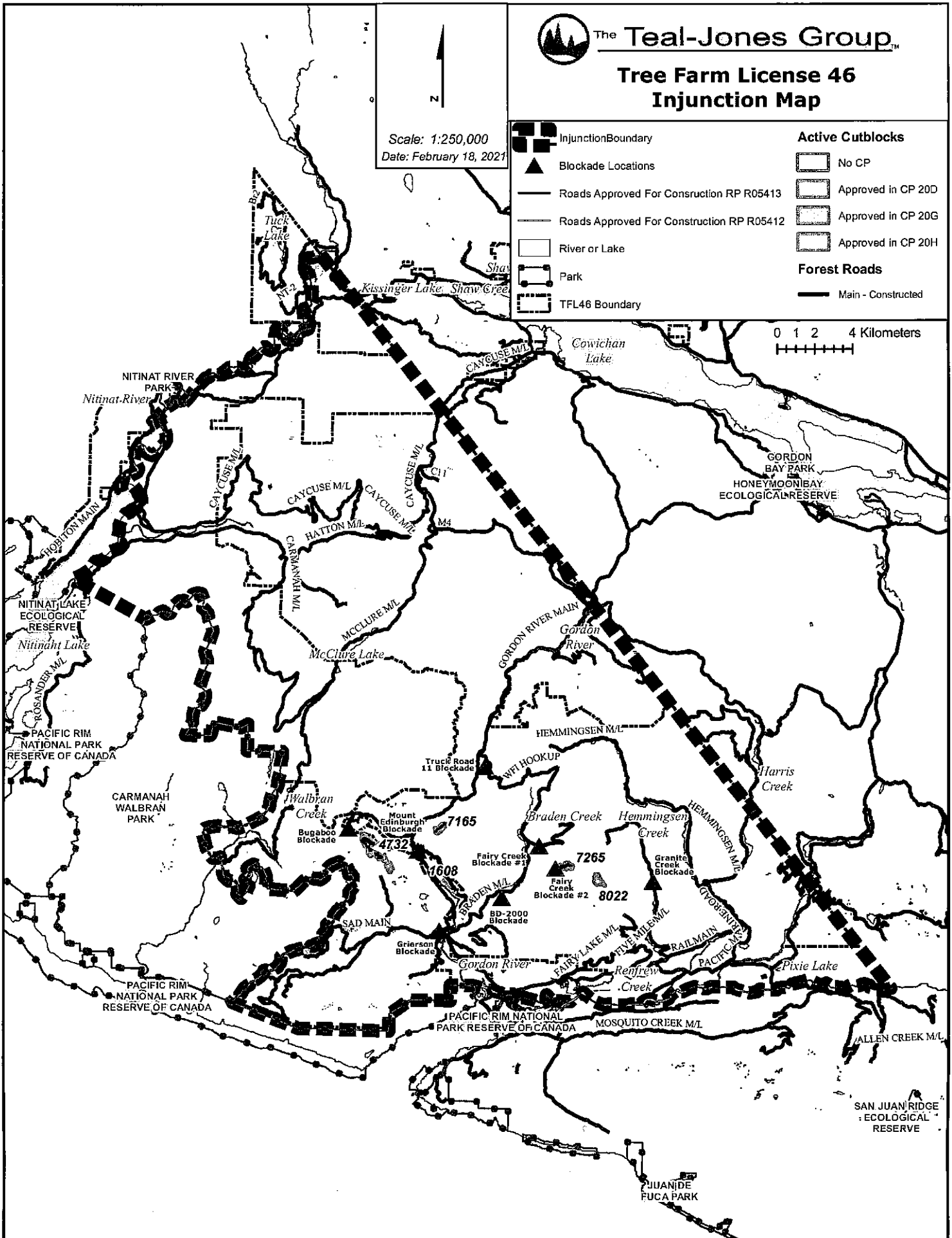
Approved in CP 20G

Approved in CP 20H

#### Forest Roads

Main - Constructed

0 1 2 4 Kilometers



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AYH/mkk