



Court File No: CV-22-00088514-00CP

ONTARIO
SUPERIOR COURT OF JUSTICE

THE HONOURABLE MR JUSTICE MCLEAN) WEDNESDAY, THE 16TH DAY
)
) OF FEBRUARY, 2022

B E T W E E N:

ZEXI LI

Plaintiff/Moving Party

- and -

CHRIS BARBER, BENJAMIN DICHTER, TAMARA LICH, PATRICK KING and
JOHN DOE 1, JOHN DOE 2, JOHN DOE 3, JOHN DOE 4, JOHN DOE 5,
JOHN DOE 6, JOHN DOE 7, JOHN DOE 8, JOHN DOE 9, JOHN DOE 10,
JOHN DOE 11, JOHN DOE 12, JOHN DOE 13, JOHN DOE 14, JOHN DOE 15,
JOHN DOE 16, JOHN DOE 17, JOHN DOE 18, JOHN DOE 19, JOHN DOE 20,
JOHN DOE 21, JOHN DOE 22, JOHN DOE 23, JOHN DOE 24, JOHN DOE 25,
JOHN DOE 26, JOHN DOE 27, JOHN DOE 28, JOHN DOE 29, JOHN DOE 30,
JOHN DOE 31, JOHN DOE 32, JOHN DOE 33, JOHN DOE 34, JOHN DOE 35,
JOHN DOE 36, JOHN DOE 37, JOHN DOE 38, JOHN DOE 39, JOHN DOE 40,
JOHN DOE 41, JOHN DOE 42, JOHN DOE 43, JOHN DOE 44, JOHN DOE 45,
JOHN DOE 46, JOHN DOE 47, JOHN DOE 48, JOHN DOE 49, JOHN DOE 50,
JOHN DOE 51, JOHN DOE 52, JOHN DOE 53, JOHN DOE 54, JOHN DOE 55,
JOHN DOE 56, JOHN DOE 57, JOHN DOE 58, JOHN DOE 59 and JOHN DOE 60

Defendants/Responding Parties

ORDER

THIS MOTION, made by the Plaintiff for an interlocutory injunction and costs, pursuant to section 101 of the *Courts of Justice Act* and Rule 40.01 of the *Rules of Civil Procedure*, was heard at Ottawa on February 5, 7, and 16, 2022 by videoconference.

UPON READING the motion records of the parties and **UPON HEARING** the oral arguments made by counsel for the parties by Zoom,

1. **THIS COURT ORDERS** that the interlocutory injunction granted on February 7, 2022, pursuant to section 101 of the *Courts of Justice Act*, Rule 40.01 of the *Rules of Civil Procedure*, and section 12 of the *Class Proceedings Act*, is continued.
2. **THIS COURT ORDERS** that any persons having notice of this Order are hereby restrained and enjoined from using air horns or train horns, other than those on a motor vehicle of a municipal fire department, in the geographic location anywhere in the City of Ottawa, in the vicinity of downtown Ottawa, being any streets north of Highway 417, otherwise known as the Queensway, for 60 days from the date of this Order, or until further order of this Court.
3. **THIS COURT ORDERS** that any persons having notice of this Order are hereby restrained and enjoined from ordering, requesting, inciting, counselling, promoting or encouraging in any manner whatsoever, either directly or indirectly, via social media or otherwise, any person to use air horns or train horns in downtown Ottawa for as long as the Order is in effect.
4. **THIS COURT ORDERS** that the Defendants Barber, Dichter Lich, and King forthwith direct that they communicate this Order through their social media channels, including Twitter, Instagram, TikTok, Facebook, as well as the Freedom Convoy 2022 Facebook page.
5. **THIS COURT ORDERS** that any police officer with the Ottawa Police Service, and/or the appropriate police authority in the jurisdiction in question (the "Police"), shall have authorization 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.
6. **THIS COURT ORDERS** that the Police shall retain discretion:
 - a. 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; and
 - b. 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.
7. **THIS COURT ORDERS** that any peace officer and any member of the Police who arrests or arrests and removes any person pursuant to this Order shall have authorization to release that person from arrest upon that person agreeing in writing to obey this Order;

8. **THIS COURT ORDERS** that, provided the terms of this Order are complied with, the Defendants and other persons remain at liberty to engage in a peaceful, lawful and safe protest.
9. **NOTICE OF THIS ORDER** may be given by: posting copies of this Order in or around downtown Ottawa; reading the Order to any person, including but not limited to reading the Order over an amplification system publishing this Order online, including on social media accounts associated with the Defendants, and by distributing copies of this Order to media including CBC, Radio-Canada, CTV, Global News and all daily newspapers in the Ottawa-Gatineau area.
10. **THIS ORDER** shall not apply to persons acting in the course of or in the exercise of a statutory duty, power or authority.
11. **THIS COURT ORDERS** that the costs of this motion shall be in the cause.

