

**NO. S013235**  
**Vancouver Registry**

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

**BETWEEN:**

**SUN PEAKS RESORT CORPORATION**

**PLAINTIFF**

**AND:**

**JANICE BILLY, AMANDA SOPER, NICOLE MANUEL,  
JOHN DOE, JANE DOE and other persons unknown to the  
Plaintiff acting in concert with them**

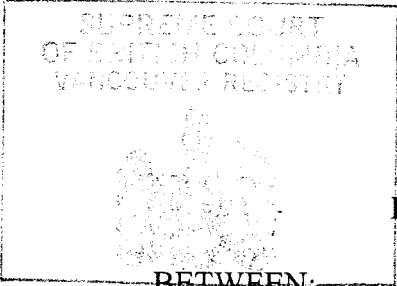
**DEFENDANTS**

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**ORDER**

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AND:

**ATTORNEY GENERAL OF BRITISH COLUMBIA**

**INTERVENOR**

**ORDER**

	)	
	)	
BEFORE THE HONOURABLE	)	FRIDAY THE 3RD DAY OF
MADAM JUSTICE SATANOVE	)	SEPTEMBER, 2004
	)	
	)	

THE APPLICATION of the Plaintiff, Sun Peaks Resort Corporation, for an interlocutory injunction coming on for hearing at Vancouver, B.C. on Friday, September 3, 2004 and on hearing John J.L. Hunter, Q.C. and Mark S. Oulton, counsel for the Plaintiff, and Janice Billy, Art Manuel and John Arnold Jack appearing on behalf of the Defendants and Lisa Mrozinski, counsel for the Attorney General of British Columbia; and the Plaintiff having undertaken to this Court that it will abide by any Order this Court may make as to damages in the event that this Court shall be of the opinion that the Defendants have sustained damages by reason of the making of this Order which the Plaintiff ought to pay AND ON READING the materials filed herein;

THIS COURT ORDERS that

Base Land Area contained within the

CAS:J. ✓ ✓

1. John Arnold Jack, Segwses, Skulnst and Janice Billy, and each of them, and all persons unknown having notice of this Order be restrained and enjoined from occupying those lands within the Controlled Recreation Area near Sun Peaks, British Columbia as shown on the Sketch Plan attached as Schedule "A" to this Notice of Motion (the "Lands"), unless or until each has the Plaintiff's express written permission to do so;
2. any Peace Officer be authorized to arrest and remove any person whom has knowledge of this Order and whom the Peace Officer has reasonable and probable grounds to believe is contravening or has contravened the provisions of the Order sought in paragraph 1 above and ordered by this Court. For the sake of clarity, such a Peace Officer retains his or her discretion to decide whether to arrest or remove any person pursuant to this Order;
3. any Peace Officer who arrests or removes any person pursuant to this Order be authorized to:
  - a. release that person from arrest upon the person agreeing in writing to appear before this Court at such time and place as may be fixed for the purpose of being proceeded against for contempt of court or for fixing a date for such proceeding and such other undertakings as the peace officer may deem appropriate;
  - b. where such person has refused to give a written undertaking to appear before this Court or where in the circumstances the Peace Officer considers it appropriate, to bring forthwith such person before this Court at the Supreme Court Registry in Kamloops, British Columbia, or any such other place the Court may direct for the purpose of being proceeded against for contempt of court or for fixing the time for such proceedings; or
  - c. detain such person until such time as they can be brought before this Court;
4. the requirements of Rule 3(4) are hereby dispensed with; and
5. the requirement that the Defendants Janice Billy, Art Manuel and John Arnold Jack endorse this Order to evidence their approval of the form of this Order is hereby dispensed with.

By the Court,

*[Signature]*

*[Signature]*  
Registrar

ENTERED

SEP - 3 2006

VANCOUVER REGISTRY

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Approval as attached ✓

APPROVED AS TO FORM:



John J.L. Hunter, Q.C.  
Counsel for the Plaintiff



Lisa Mrozinski  
Counsel for the Attorney General of British Columbia

