COURT FILE NO.

1503 16102

COURT

COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE

EDMONTON

APPLICANT

ALBERTA MOTOR VEHICLE INDUSTRY

COUNCIL

RESPONDENTS

MIKS MOTORS INC. and DENNIS FELDMAN

DOCUMENT

ORDER

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF

INFORMATION OF PARTY FILING THIS

DOCUMENT

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File No.: 194-179793

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DATE ON WHICH ORDER WAS PRONOUNCED: LOCATION WHERE ORDER WAS PRONOUNCED: NAME OF JUSTICE WHO MADE THIS ORDER:

November 10th, 2015 Edmonton, Alberta

Justice G. Campbell

UPON THE APPLICATION of the Applicant the Alberta Motor Vehicle Industry Council; AND UPON HEARING representations from Counsel for the Applicant; AND UPON HEARING representations from Dennis Feldman, nobody appearing as counsel on behalf of MIKS MOTORS INC.; AND UPON HEARING READ the affidavit of , filed;

IT IS HEREBY ORDERED THAT:

- 1. In accordance with s. 158 of the Fair Trading Act, RSA 2000 s. F- (the "FTA"), the Respondents shall comply with the Director's Orders that have been served upon them by the Applicant and shall cease engaging in the automotive business within the Province of Alberta until properly licensed in accordance with the FTA and the Automotive Business Regulation (AR 192/99);
- 2. The Respondents shall, within three (3) days of this Order, cause all content to be removed from the Internet website hosted at the url: www.miksmotors.com and the Respondents, whether acting individually or by their directors, officers, servants, agents

or otherwise, are enjoined from operating the internet website located at the url: www.miksmotors.com or any other similar website for the advertising and sale of vehicles or any other aspect of an automotive business until further order of the Court of Queen's Bench of Alberta;

- 3. Upon the Respondents or either of them being in breach of any of the terms of the Order granted, that any Police Officer is authorized to forthwith arrest the person in Breach of the Order and bring the person in breach of this Order, as soon as possible, before a Justice of the Court of Queen's Bench of Alberta to show any reason why there should not be a finding of civil contempt. However, the person in breach of the Order shall not be arrested unless he or she has been previously served with a copy of the Order, or if not served, is shown a copy of this Order by the Police Officer, and on being given an opportunity to do so, does not then obey it.
- 4. An Order that in making an arrest under the Order granted, a Police Officer is authorized to do anything necessary to carry out the arrest, including the use of as much reasonable force as may be necessary to make the arrest, and without warrant to enter any place where, on reasonable and probable grounds, the Police Officer believes that any person in breach of the Order may be found.
- 5. The Respondents shall pay the Solicitor-client costs of this Application.
- 6. Approval of the form of order by the Respondents is dispensed with pursuant to Rule 9.4 (2)(c) of the Rules of Court.

JUSTICE IN CHAMBERS