

No. 1854871  
Prince George Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:  
COASTAL GASLINK PIPELINE LTD.

PLAINTIFF

AND:

FREDA HUSON, WARNER NAZIEL, JOHN DOE, JANE DOE  
and all other persons unknown to the Plaintiff occupying,  
obstructing, blocking, physically impeding or delaying access, at  
or in the vicinity of the area in and around the Morice River Bridge  
or the area accessed by the Morice West Forest Service Road

DEFENDANTS

**ORDER MADE AFTER APPLICATION**

BEFORE )  
          ) THE HONOURABLE )  
          ) MADAM JUSTICE CHURCH ) December 31, 2019  
          )  
          )

ON THE APPLICATION OF the Plaintiff coming on for hearing at Prince George, British Columbia, on June 12-14, 2019 and on hearing K.G. O'Callaghan on behalf of the Plaintiff, and M. L. Ross, K. Campbell, N. Ross, and B. Ralston on behalf of the Defendants, Freda Huson and Warner Naziel, AND JUDGEMENT being reserved to this date.

THIS COURT ORDERS that:

1. Until judgment is rendered after the trial of this Action, the Defendants and anyone having notice of this Order are restrained, enjoined and prohibited from:
  - (i) physically preventing, impeding, restricting or in any way physically interfering with, or counselling others to prevent, impede, restrict or physically interfere with, any person or vehicle travelling to or accessing the vicinity of the area in and around the Morice River Bridge (being the bridge over the Morice River on the Morice West Forest Service Road) or any of the areas accessed by Morice Forest Service Road (also known as the Morice FSR 4656, Road Section 01), including the areas accessed by the following other forestry roads (and areas and roads accessed by those roads):

- (A) the Morice West Forest Service Road (also known as Morice FSR West 9785, Road Section 01);
- (B) Shea Creek FSR 9785, Road Section 04;
- (C) CP 571 R07593 2 0; and
- (D) CP 573 R07593 6 0.

(the "Blockaded Area");

- (ii) physically preventing, impeding, restricting or in any way physically interfering with, or counselling others to prevent, impede, restrict or physically interfere with, the Plaintiff, its employees, agents, contractors or subcontractors carrying on its business in furtherance of the Plaintiff's Coastal GasLink pipeline project (the "Project"), and in particular pre-construction activities and construction of the Project in the Blockaded Area;
  - (iii) approaching within 10 metres (or a greater distance if that would otherwise be contrary to paragraph 1(ii) above) of any individual or vehicle, being employed or used by the Plaintiff, its contractors or subcontractors, or their respective employees, servants, agents or other persons in a contractual or economic relationship with the Plaintiff, while that person or vehicle is actively working on pre-construction activities or construction of the Project, in the Blockaded Area;
  - (iv) threatening or intimidating the Plaintiff, its contractors or subcontractors and their respective employees, servants, agents or other persons in a contractual or economic relationship with the Plaintiff;
  - (v) physically interfering with or counselling others to physically interfere with the performance by the Plaintiff of its contractual relations with its employees, servants, agents or other persons in a contractual or economic relationship with the Plaintiff;
  - (vi) physically interfering with or counselling others to physically interfere with the performance by the Plaintiff's contractors or subcontractors of their contractual relations with the Plaintiff; and
  - (vii) creating a nuisance by physically obstructing the Plaintiff, its contractors or subcontractors from carrying on their business;
2. Within 72 hours of this Order and until judgment is rendered after the trial of the Action, the Defendants and anyone having notice of this Order are ordered to remove any obstructions, including but not limited to gates and cabins, they have caused or created on the Morice River Bridge, any of the roads or bridges in the Blockaded Area, or on the worksites the Plaintiff is authorized to use within the Blockaded Area (the "Worksites").

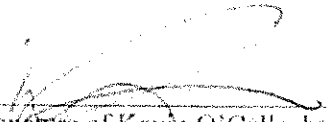
3. If such obstructions described in paragraph 2 of this Order, including but not limited to any gates or cabins, are not removed within 72 hours (or are later placed) and are located:
  - (a) on roads or bridges, the Plaintiff is at liberty to remove those obstructions;
  - (b) on the Worksites, then if the Plaintiff posts a notice of this Order on or near the obstructions setting out that the obstruction is impeding or preventing access to the Worksites, and if the obstructions are not removed from the Worksites within 72 hours of the posting of the notice, then the Plaintiff is at liberty to remove those obstructions;
4. Paragraph 2 and 3 of this Order do not apply to the metal gate on the west side of the Morice River Bridge unless that gate is used to prevent or impede access across the Morice River Bridge.
5. Leave to give short notice of any application for a further injunction, or for a variation of this Order, is hereby granted subject to service on the other party's solicitors 48 hours prior to the returnable hour of the application, but if the Defendants do not have a solicitor, subject to service upon the Defendants by email to Freda Huson and Warner Naziel and other Defendants, once they identify in writing to the Court and the Plaintiff as Defendants and make their emails known to the Plaintiff, 72 hours prior to the returnable hour of the application;
6. A copy of this Order is to be posted on the website of the Plaintiff at [www.coastalgaslink.com](http://www.coastalgaslink.com) and such posting shall constitute good and sufficient service of this Order; and
7. If access is available and safe for the Plaintiff at the Morice River Bridge or at the pullout at approximately KM44 of the Morice Forest Service Road, then the Plaintiff shall post a copy of this Order at each available location by affixing it to a nearby tree or post.


THIS COURT FURTHER ORDERS that any peace officer be and is hereby ordered to enforce the injunction order set out in paragraphs 1 and 2 above, and in furtherance of the same:



8. Any police officer with the Royal Canadian Mounted Police, and/or the appropriate police authority in the jurisdiction in question (the "Police") be and is hereby authorized 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;
9. The Police retain discretion as to 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;
10. 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;

11. Any peace officer and any member of the Police who arrests or arrests and removes any person pursuant to this Order be authorized to:
- (a) release that person from arrest upon the person agreeing in writing to abide by this Order;
  - (b) release that person from arrest upon that person agreeing in writing to abide by 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;
  - (c) bring that person forthwith before this Court at Prince George, British Columbia, or such other place as may be directed by this Court;
  - (d) detain that person until such time as it is possible to bring that person before this Court: and/or
  - (e) take steps in accordance with Form 11.1 of the *Criminal Code*, R.S.C. 1985, c. C-46; and
12. 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.

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 Kevin O'Callaghan  
Lawyer for the Plaintiff

  
\_\_\_\_\_  
Signature of Michael Lee Ross  
Lawyer for the Defendants Freda Huson and  
Warner Naziel

BY THE COURT   
  
\_\_\_\_\_  
REGISTRAR

No. 1854871  
Prince George Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN,

COASTAL GASLINK PIPELINE LTD.,

PLAINTIFF

AND

FREDA HUSON, WARNER NAZIEL, JOHN DOE, JANE  
DOE and all other persons unknown to the Plaintiff  
occupying, obstructing, blocking, physically impeding or  
delaying access, at or in the vicinity of the area in and  
around the Morice River Bridge or the area accessed by the  
Morice West Forest Service Road

DEFENDANTS

---

ORDER MADE AFTER APPLICATION

FASKEN MARTINEAU DU MOULIN LLP  
Barristers & Solicitors  
2900 - 550 Burrard Street  
Vancouver, B.C., V6C 0A3  
604 631 3131

Counsel: Kevin O'Callaghan  
Matter No: 292356.00016