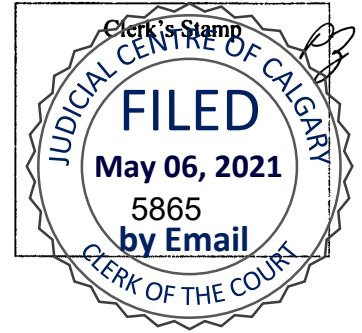


COURT FILE NUMBER 2101 05742  
COURT COURT OF QUEEN'S BENCH OF ALBERTA  
JUDICIAL CENTRE CALGARY  
APPLICANT ALBERTA HEALTH SERVICES  
RESPONDENTS CHRISTOPHER SCOTT, WHISTLE STOP (2012) LTD., GLEN CARRITT, JOHN DOE(S), JANE DOE(S)  
DOCUMENT **ORDER**  
ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT **Alberta Health Services**  
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Seventh Street Plaza  
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DATE ON WHICH ORDER WAS PRONOUNCED: May 6, 2021  
NAME OF JUSTICE WHO MADE THIS ORDER: Associate Chief Justice Rooke  
LOCATION OF HEARING: Calgary, Alberta

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**UPON THE WITHOUT NOTICE APPLICATION** of the Applicant, Alberta Health Services (“AHS”) brought pursuant to the *Public Health Act*, RSA 2000, c P-37 (the “*Public Health Act*”);

**AND UPON** noting the Records of Decisions issued by the Chief Medical Officer of Health in the Province of Alberta under the *Public Health Act* (the “CMOH Orders”);

**AND UPON** reviewing the Bench Brief provided by AHS, to be filed;

**AND UPON** reviewing the affidavit of Dave Brown affirmed on May 6, 2021, and the affidavit of Dr. Deena Hinshaw affirmed on May 6, 2021, both to be filed;

**AND UPON** hearing submissions from Counsel for AHS;

**IT IS HEREBY ORDERED THAT:**

1. The named individual Respondents and any other person acting under their instructions or in concert with them or independently to like effect and with Notice of this Order, shall be restrained anywhere in Alberta from:
  - a. organizing an in-person gathering, including requesting, inciting or inviting others to attend an “Illegal Public Gathering”;
  - b. promoting an Illegal Public Gathering via social media or otherwise;
  - c. attending an Illegal Public Gathering of any nature in a “public place” or a “private place”, which each have the same meaning as given to them in the Public Health Act.
2. For the purposes of this Order, an “Illegal Public Gathering” is one that does not comply with the requirements in the current CMOH Orders, including but not limited to:
  - a. the masking requirements;
  - b. the attendance limits applicable to indoor or outdoor gatherings; and
  - c. minimum physical distancing requirements.
3. Any member of any Police Service, as defined in the *Police Act*, RSA 2000, c P-17, or any peace officer as defined in the *Criminal Code*, RSC 1985, c C-46 (collectively, “Law Enforcement”), is authorized to use reasonable force in arresting and removing any person who has notice of this Order and whom Law Enforcement has reasonable and probable grounds to believe is contravening this Order. Upon arresting any person pursuant to this Order, Law Enforcement may detain such person until they may be dealt with in accordance with this Order.
4. Any member of Law Enforcement who arrests, detains, or removes any person pursuant to this Order (hereinafter, the “Offending Party”), is authorized to:
  - a. bring the Offending Party, as soon as possible, before a Justice of the Court of Queen's Bench of Alberta, and the Offending Party will be required to show any reason why there should be no finding of Civil Contempt at a hearing before a Justice of the Court of Queen's Bench;
  - b. issue a summons that requires the Offending Party to appear before a Justice of the Court of Queen's Bench of Alberta, as soon as possible, and the Offending Party

will be required to show any reason why there should be no finding of Civil Contempt at a hearing before a Justice of the Court of Queen's Bench; or

- c. release the Offending Party from arrest upon that person agreeing in writing to undertake to both:
  - i. appear in person before a Justice of the Court of Queen's Bench of Alberta at such a 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 a proceeding; and,
  - ii. obey this Order.
5. A person shall be deemed to have Notice of this Order if that person is shown a copy of the Order, or it is posted in in plain sight where it can be easily read by them, or if it is read to them.
6. An undertaking as to damages is not required from the Applicant.
7. The provisions of this Order are additional to and do not derogate from:
  - a. any powers of Law Enforcement, including but not limited to their powers under the *Criminal Code* and/or any applicable provincial legislation; and
  - b. any powers under the *Public Health Act* and CMOH Orders.



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Honourable John Rooke, Associate Chief Justice  
Court of Queen's Bench of Alberta