

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE REGIONAL)
SENIOR JUSTICE THOMAS) FRIDAY, THIS 12th DAY OF
) FEBRUARY 2021
)
)

BETWEEN:

HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO

Applicant

-and-

THE CHURCH OF GOD (RESTORATION) AYLMER, HENRY HILDEBRANDT,
ABRAM BERGEN, JACOB HIEBERT, PETER HILDEBRANDT, SUSAN MUTCH,
ELVIRA TOVSTIGA and TRUDY WIEBE

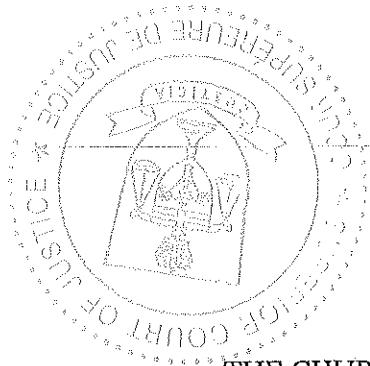
Respondents

APPLICATION UNDER s. 9 of the *Reopening Ontario (A Flexible Response to COVID-19) Act*,
2020, S.O. 2020, c 17

ORDER

NOTICE

IF YOU, THE RESPONDENTS, disobey this Order, you may be held to be in contempt of court. Any other person who knows of this Order and does anything which helps or permits the respondents to breach the terms of this Order may also be held to be in contempt of court.



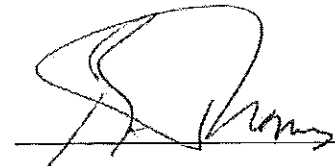
THIS APPLICATION brought by the Applicant, Her Majesty the Queen in right of Ontario, for an order under section 9 of the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*, S.O. 2020, c. 17, restraining the Respondents' contraventions of Ontario Regulation 82/20, was heard this day by video conference at St. Thomas, Ontario;

ON READING the application record and factum of the Applicant, filed; and on hearing the submissions of the lawyers for the Applicant and the Respondents:

1. **THIS COURT ORDERS** that the time for service and filing of the application record and factum of the Applicant be and hereby is abridged.
2. **AND THIS COURT ORDERS** that pursuant to section 9 of the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*, S.O. 2020, c 17 ("ROA"), the Respondents, their servants, employees, agents, assigns, officers, directors and anyone else acting on their behalf or in conjunction with any of them, and any and all persons with notice of this Order, be and hereby are restrained from directly or indirectly, by any means whatsoever, contravening Ontario Regulation 82/20 in respect of gatherings for the purpose of a religious service, rite or ceremony at, inside, or in conjunction with the operations of the Church of God (Restoration) Aylmer.
3. **AND THIS COURT ORDERS** that the Respondents, their servants, employees, agents, assigns, officers, directors and anyone else acting on their behalf or in conjunction with any of them, and any and all persons with notice of this Order, be and hereby are restrained from directly or indirectly, by any means whatsoever, contravening any other continued section 7.0.2 order, as defined in the ROA, that applies or may subsequently apply to the

Respondents in respect of gatherings for the purpose of a religious service, rite or ceremony at, inside, or in conjunction with the operations of the Church of God (Restoration) Aylmer.

4. **AND THIS COURT ORDERS** that a copy of this Order shall be placed on the external doors of the church premises on the Church of God (Restoration) Aylmer property, municipally known as 751 John Street North, Aylmer, Ontario, in such a manner that the order is visible to all individuals entering or attempting to enter the premises for the purposes a religious service, rite or ceremony.
5. **AND THIS COURT ORDERS** that the Respondents may, within thirty (30) days of the making of this order, deliver a notice of a motion before this Court to vary, discharge or set aside this Order.
6. **AND THIS COURT ORDERS** that in the event the Respondents bring a motion under paragraph 5, it will be adjudicated pursuant to a timetable endorsed by the Court and this Order remains in force unless and until it is varied , discharged or set aside by the Court.
7. **AND THIS COURT ORDERS** that the Applicant may seek its costs in relation to this Application on any motion to hold the Respondents in contempt of this Order.
8. **AND THIS COURT ORDERS** that notwithstanding Rule 59.05, this Order is effective from the date that it is made and is enforceable without any need for entry and filing. No formal Order need be entered and filed unless an appeal is brought to an appellate court. Any party may nonetheless submit a formal Order for original signing, entry and filing when the Court returns to regular operations.



THE HONOURABLE
REGIONAL SENIOR
JUSTICE B. G. THOMAS

ENTERED ST. THOMAS
BOOK NO: 7778 7779
DOC. NO: 7778
DATE: 12 Feb 2021
BY: Yukana Saradakk

HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO and **THE CHURCH OF GOD (RESTORATION) ALYMER et al.**

Applicant

Respondents

Court File No. CV-21-00000008-0000

ONTARIO
SUPERIOR COURT OF JUSTICE

PROCEEDING COMMENCED AT
ST. THOMAS

ORDER

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right of Ontario**