

No. S256648
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

TSAWAK-QIN FORESTRY LIMITED PARTNERSHIP and
TSAWAK-QIN FORESTRY INC.

PLAINTIFFS

AND:

WILL O'CONNELL, WILLIAM JONES, JOHN DOE, JANE
DOE, and PERSONS UNKNOWN

DEFENDANTS

ORDER MADE AFTER APPLICATION

))
))
BEFORE)	THE HONOURABLE MADAM)
)	JUSTICE FRANCIS)
))

September 12, 2025

ON THE APPLICATION of the plaintiffs, Tsawak-qin Forestry Limited Partnership and Tsawak-qin Forestry Inc., coming on for hearing at 800 Smithe Street, Vancouver, BC V6Z 2E1 on September 9 and 11, 2025, and on hearing Dean Dalke, Alex Hudson, Emily Snow, and Tea Mamic, counsel for the plaintiffs, and Benjamin Isitt and Noah Ross, counsel for the defendant William Jones, and no one appearing on behalf of the defendant Will O'Connell, with judgment reserved to this date;

THIS COURT ORDERS that:

1. An interim injunction lasting until 11:59 p.m. on September 12, 2026 is granted requiring that the Defendants (by themselves, and for their officers, members,

servants, agents, and representatives) and anyone having knowledge of this Court's order, be restrained, enjoined and prohibited from:

(a) impeding, physically obstructing, or in any way interfering with any person, including any member of the public, from gaining access to or egress from, or otherwise making use of any road, road construction site or planned road construction site (the "**Roads**") situate within the area that is:

- i. bounded by and includes on the north the Cowichan Main Road and the Carmanah Main Road;
- ii. bounded by and includes on the west the Carmanah Main Road, the Rosander Main Road, and the Carmanah Walbran Provincial Park boundary;
- iii. bounded by and includes on the east the Caycuse Main Road, Road M4, Road TR2, and the Gordon River Main Road; and
- iv. bounded on the south by the Carmanah Walbran Provincial Park boundary and a line running from the Gordon River Main Road at a point that is 7 kilometres north of the Gordon River Main Road's southern terminus due west to the Carmanah Walbran Provincial Park boundary

as indicated on the map attached for illustrative purposes as Schedule A (the "**Injunction Area**");

(b) obstructing, impeding, or otherwise interfering with the safe passage of motor vehicles, equipment or machinery operated by any of the Plaintiffs, or any of the Plaintiffs' employees, agents, contractors, subcontractors or suppliers (collectively, "**Equipment**");

(c) coming within 50 metres of any Equipment in the Injunction Area;

- (d) obstructing, impeding or otherwise interfering with any construction or maintenance activities conducted on the Roads by any of the Plaintiffs, or any of the Plaintiffs' employees, agents, contractors, subcontractors or suppliers;
 - (e) obstructing, impeding, or otherwise interfering with timber harvesting and related activities in the Injunction Area conducted by any of the Plaintiffs, or any of the Plaintiffs' employees, agents, contractors, subcontractors or suppliers; and/or
 - (f) threatening, harassing, intimidating, assaulting, physically obstructing, or physically interfering with any of the Plaintiffs' employees, agents, contractors, subcontractors or suppliers or their families.
2. An order lasting until 11:59 p.m. on September 12, 2026 is granted:
- (a) authorizing any police officer with the Royal Canadian Mounted Police, and/or the appropriate police authority in the jurisdiction in question (the "**Police**"), 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;
 - (b) that the Police retain discretion as to the timing and manner of enforcement of this Order, and specifically retain discretion as to the timing and manner of the arrest and removal of any person pursuant to this Order;
 - (c) that 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;
 - (d) authorizing any peace officer and any member of the Police who arrests or arrests and removes any person pursuant to this Order to:

- (i) release that person from arrest upon that person agreeing in writing to obey this Order;
 - (ii) release that person from arrest upon that person agreeing in writing to obey 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;
 - (iii) bring that person forthwith before this Court at any location where the Court may sit;
 - (iv) detain that person in custody until such time as it is possible to bring that person before this Court; and/or,
 - (v) otherwise take steps in accordance with Part XVI of the *Criminal Code*, R.S.C. 1985, c. C-46.
3. Provided the terms of this Order are complied with, the Defendants and other persons are free to participate in a peaceful, lawful and safe protest.
4. In exercising their enforcement discretion under this Order, the Police will not impede, curtail, delay, or interfere with access to any part of the Injunction Area by members of the media who are attempting to gather information and obtain photographic and video evidence for their respective publications, except where there is a *bona fide* Police operational rationale that requires it, and in those instances, as minimally as possible in recognition of the rights and vital role of the media in Canadian society.
5. Any person affected by this Order, including the Plaintiffs, are at liberty to apply to the Court to set aside or vary this Order unless there is a case management judge assigned, in which case the person making application to set aside or vary this Order will deliver to Supreme Court Scheduling a request to appear before the case management judge who may issue directions related to the application, including as to notice.

6. The Plaintiffs shall abide by any order that this Court may make as to damages as a result of obtaining injunctive relief.
7. The requirement that any person other than the Plaintiffs approve the form of this Order is dispensed with.
8. This Order may be entered at any registry of the Supreme Court of British Columbia.
9. The parties may make submissions on costs.

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 ☒ lawyer for the plaintiffs
DLA Piper (Canada) LLP (Dean Dalke)



Signature of ☒ lawyer for the defendant William Jones
Benjamin Isitt

BY THE COURT

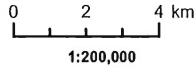


REGISTRAR



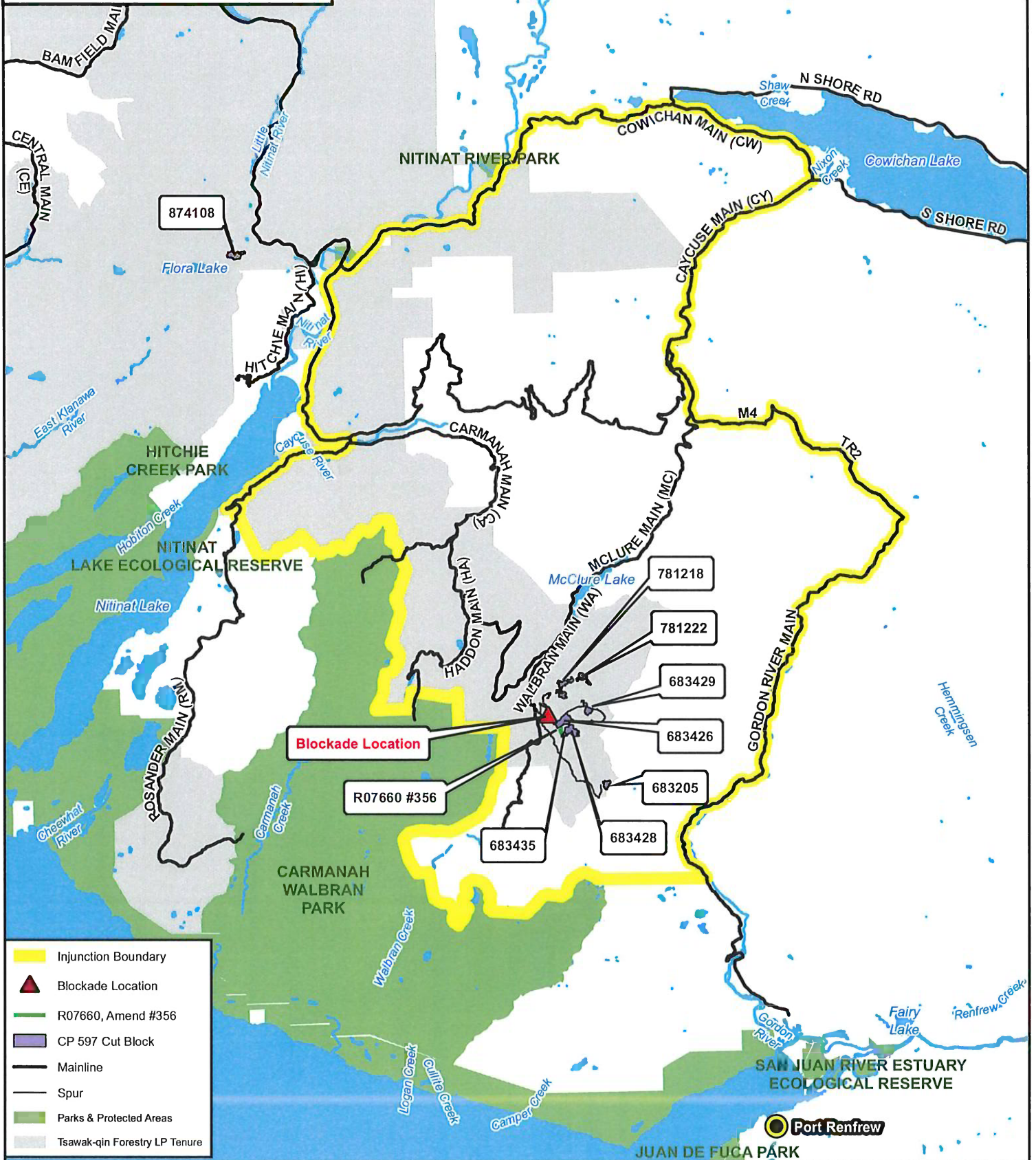
Tsawak-qin Forestry LP
CP 597
R07660 Amend #35
INJUNCTION MAP

Date: 2025-09-04
Coordinate System:
NAD 1983 BC Albers



Schedule "A"

HALEY LAKE
ECOLOGICAL
RESERVE



- Injunction Boundary
- Blockade Location
- R07660, Amend #356
- CP 597 Cut Block
- Mainline
- Spur
- Parks & Protected Areas
- Tsawak-qin Forestry LP Tenure

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ORDER MADE AFTER APPLICATION

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