

Court File No. CV-22-00088514-00CP

ONTARIO
SUPERIOR COURT OF JUSTICE

THE HONOURABLE

)

MONDAY, THE 2ND

)

MR. JUSTICE C. MACLEOD

)

DAY OF MAY, 2022

B E T W E E N:

(Court Seal)

ZEXI LI, HAPPY GOAT COFFEE COMPANY INC., 7983794 ONTARIO INC.,
(c.o.b.) as UNION: LOCAL 613 and GEOFFREY DEVANEY

Plaintiffs/Moving Parties

and

CHRIS BARBER, BENJAMIN DICHTER, TAMARA LICH, PATRICK KING, JAMES BAUDER, BRIGITTE BELTON, DANIEL BULFORD, DALE ENNS, CHAD EROS, CHRIS GARRAH, MIRANDA GASIOR, JOE JANSEN, JASON LAFACE, TOM MARAZZO, RYAN MIHILEWICZ, SEAN TIESSEN, NICHOLAS ST. LOUIS, (a.k.a. @NOBODY CARIBOU), FREEDOM 2022 HUMAN RIGHTS AND FREEDOMS, JOHN DOE 1, JOHN DOE 2, JOHN DOE 3, JOHN DOE 4, JOHN DOE 5, JOHN DOE 6, JOHN DOE 7, JOHN DOE 8, JOHN DOE 9, JOHN DOE 10, JOHN DOE 11, JOHN DOE 12, JOHN DOE 13, JOHN DOE 14, JOHN DOE 15, JOHN DOE 16, JOHN DOE 17, JOHN DOE 18, JOHN DOE 19, JOHN DOE 20, JOHN DOE 21, JOHN DOE 22, JOHN DOE 23, JOHN DOE 24, JOHN DOE 25, JOHN DOE 26, JOHN DOE 27, JOHN DOE 28, JOHN DOE 29, JOHN DOE 30, JOHN DOE 31, JOHN DOE 32, JOHN DOE 33, JOHN DOE 34, JOHN DOE 35, JOHN DOE 36, JOHN DOE 37, JOHN DOE 38, JOHN DOE 39, JOHN DOE 40, JOHN DOE 41, JOHN DOE 42, JOHN DOE 43, JOHN DOE 44, JOHN DOE 45, JOHN DOE 46, JOHN DOE 47, JOHN DOE 48, JOHN DOE 49, JOHN DOE 50, JOHN DOE 51, JOHN DOE 52, JOHN DOE 53, JOHN DOE 54, JOHN DOE 55, JOHN DOE 56, JOHN DOE 57, JOHN DOE 58, JOHN DOE 59, JOHN DOE 60, JANE DOE 1 and JANE DOE 2

Defendants/Responding Parties

Proceeding under the *Class Proceedings Act, 1992*

ORDER
(FOURTH EXTENSION OF MAREVA INJUNCTION)

THESE MOTIONS, made by: (i) the Plaintiffs Zexi Li, Happy Goat Coffee Company Inc., 7983794 CANADA INC. (c.o.b. UNION: LOCAL 613) and Geoffrey Devaney, on their own behalf and on behalf of the proposed classes as defined in the Fresh as Amended Statement of Claim issued February 18, 2022, for an Order extending this Court’s Order of February 17, 2022 granting a Mareva injunction (the “**Mareva Order**”) over the assets of the corporate Defendant Freedom 2022 Human Rights and Freedoms (“**Freedom 2022**”) and the individual Defendants Patrick King, Tamara Lich, Chris Garrah, Nicholas St. Louis, and Benjamin Dichter (collectively, the “**Individual Mareva Respondents**” and together with Freedom 2022, the “**Mareva Respondents**”), as well as this Court’s Order of February 28, 2022 extending and varying the Mareva Order to permit the transfer of certain assets into escrow (the “**Escrow Order**”) and this Court’s Order of March 9, 2022 varying and extending the Mareva Order and the Escrow Order (the “**Second Extension Order**”) among other relief (ii) and by the Mareva Respondents (except Patrick King) for a motion to dissolve the Mareva Order was heard this day in Ottawa by videoconference;

WHEREAS the Mareva Respondent Nicholas St. Louis has abandoned his motion for costs as against the Ministry of the Attorney General.

UPON hearing submissions of counsel for the Plaintiffs and the Mareva Respondents (except for Patrick King), the Attorney General for Ontario and Stripe Payments Canada, Ltd. no one appearing for Patrick King:

1. **THIS COURT ORDERS** that the Escrow Order issued on February 28, 2022, is extended and shall remain in force until the final determination of this action or further Order of this Court without prejudice to the Mareva Respondents right to move on a later date with 30 days notice to

the Plaintiffs and the Attorney General of Canada to vary or set aside the terms of the Escrow Order.

2. **THIS COURT ORDERS** that Stripe Payments Canada, Ltd. shall transfer any and all funds in HSBC Bank Canada account 002-819686-001 held for the benefit of Stripe Payments Canada, Ltd. customer accounts “acct_1KQMbgC2lp5Nd5H4” and “acct_1KJKuFJ9bEusTbne”, being a total of CAD \$3,777,843.98 (the “Stripe Funds”) to the Escrow Agent.

3. **THIS COURT ORDERS** that upon confirmation in writing to the Plaintiffs and the Mareva Respondents (except Patrick King) from the Escrow Agent that the Stripe Funds have been received by the Escrow Agent, the Mareva Order issued February 17, 2022 shall hereby be dissolved against the individual Tamara Lich, Chris Garrah, Nicholas St. Louis, and Benjamin Dichter and Freedom 2022.

4. **THIS COURT ORDERS** that the Escrow Agent shall transfer \$100,000 to Investigation Counsel PC, in trust, on account of the Mareva Respondents (except Patrick King).

5. **THIS COURT ORDERS** that other than as provided for in this Order there shall be no costs payable to the Mareva Respondents (except Patrick King) in respect of the Mareva Order or its extensions.

6. **THIS COURT ORDERS** that the Mareva Order issued February 17, 2022 is extended as against Patrick King until further Order of this Court.

7. **THIS COURT ORDERS** that this Order is and shall be immediately in effect upon issuance regardless of whether it has been formally entered.

C. MacLeod R59

(Signature of judge, officer or registrar)

ZEXI LI et al.
Plaintiffs

-and- CHRIS BARBER et al.
Defendants

Court File No. CV-22-00088514-00CP

**ONTARIO
SUPERIOR COURT OF JUSTICE**

PROCEEDING COMMENCED AT OTTAWA

**ORDER
(SECOND VARIATION AND EXTENSION OF
MAREVA INJUNCTION)**

LENCZNER SLAGHT LLP

Barristers

Suite 2600

130 Adelaide Street West

Toronto ON M5H 3P5

Monique J. Jilesen (43092W)

Tel: (416) 865-2926

Email: mjilesen@litigate.com

Madison Robins (70110K)

Tel: (416) 865-3736

Email: mrobins@litigate.com

Sarah Bittman (74913I)

Tel: (416) 865-9673

Email: sbittman@litigate.com

Jessica Kras (77700K)

Tel: (416) 865-3718

Email: jkras@litigate.com

Acting as Agent to Champ & Associates, Counsel for the
Plaintiffs, Zexi Li, Happy Goat Coffee Company Inc,
7983794 Canada Inc. (c.o.b. as Union: Local 613) and
Geoffrey Devaney