

Court File No. CV-22-00000610-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE MADAM)
)
JUSTICE MILLS) FRIDAY, THE 25th
) DAY OF MARCH, 2022

B E T W E E N:

CRH CANADA GROUP INC.

Plaintiff

- and -

ONTARIO AGGREGATE TRUCKING ASSOCIATION, JAGROOP SINGH PANGLI,
MOHAN SINGH, AJITPAL SINGH BHATHAL, BALJIT SINGH MANN, AMANDEEP
SINGH, AMRITPAL SINGH, RAVINDER SINGH, TINKA BHULLAR, ONTARIO
DUMPTRUCK ASSOCIATION, DARHSAN SINGH BANAIT, BALJEET SINGH
GHARIAL, INDERJEET SINGH GOSAL, HARDEEP SINGH HEHAR, JASKARAN
SINGH HUNDAL, SUKHPALJIT SINGH KANG, DHANANJAY MEHTA, BANDEEP
SINGH THIND and BOB PUNIA

Defendants

- and -

NELSON AGGREGATE

Intervenor

ORDER

THIS MOTION, made by the plaintiff, for an interlocutory injunction pursuant to section 101 of the *Courts of Justice Act* and Rule 40.01 of the *Rules of Civil Procedure*, was heard at Milton on March 25, 2022 by video conference.

ON READING the Affidavits contained within the Motion Record of the Plaintiff, the Supplemental Motion Records of the Plaintiff, and the Motion Record of the Intervenor, filed; and on hearing the submissions of the lawyer(s) for the Plaintiff and the Intervenor, with no one attending for the Defendants, who were duly served as appears from the Affidavits of Service dated March 23, 2022 and March 24, 2022, filed, and with the Plaintiff and the Intervenor giving the appropriate undertakings for damages:

1. **THIS COURT ORDERS** that the time for service, filing and confirmation of the Plaintiffs' Notice of Motion, Motion Record, Supplemental Motion Record, Factum, and Book of Authorities is hereby abridged so that this Motion is properly returnable today.

2. **THIS COURT ORDERS** that the Defendants and any persons having notice of this Order shall be and are hereby restrained and enjoined from, directly or indirectly, by any means and alone or with the assistance of or in combination with any other persons:
 - (a) blocking, preventing or interfering with vehicular or pedestrian access to or egress from any of the facilities whose names and locations are listed in **Schedule "A"** to this Order (the "**Named Facilities**");

 - (b) encouraging, inducing or importuning any other person to block, prevent or interfere with vehicular or pedestrian access to or egress from any of the Named Facilities;

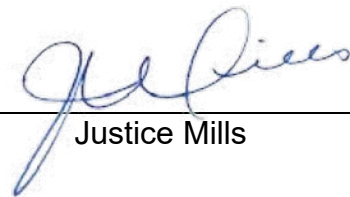
- (c) threatening, harassing or intimidating any other persons for the purpose of inducing them not to enter or leave any of the Named Facilities;
 - (d) causing, or inducing or encouraging others to cause, physical damage to trucks and other property of the owners, occupiers, and/or operators of the Named Facilities, or of any persons who wish to do business with the owners, occupiers, and/or operators of the Named Facilities, or to enter or leave any of the Named Facilities.
- 3. **THIS COURT ORDERS** that any police officer with any municipal Police Service, or the Ontario Provincial Police, and any other police authority (the "Police") shall have authorization 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.
- 4. **THIS COURT ORDERS** that the Police or designated agents shall have authorization to remove any vehicles, personal property, equipment, structures, or other objects that impede or block access to the Named Facilities and approaching roadways.
- 5. **THIS COURT ORDERS** that the Police shall retain discretion:
 - (a) as to the 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;

- (b) to detain and release any person without arrest who the Police have reasonable and probable grounds to believe is contravening, or has contravened, any provision of this Order, upon that person agreeing to abide by this Order; and
 - (c) and to lay any charges or take any other lawful action.
- 6. **THIS COURT ORDERS** that any peace officer and any member of the Police who arrests or arrests and removes any person pursuant to this Order shall have authorization to release that person from arrest upon that person agreeing in writing to obey this Order.
- 7. **THIS COURT ORDERS** that the terms of this Order bind the Defendants and every other person or legal entity who is subject to this Order and is given notice of this Order, as of the time such Defendants, person or legal entity first receives notice of the Order, and whether or not such respondents, person or legal entity has been served with a copy of the Order.
- 8. **THIS COURT ORDERS** that the terms of this Order shall remain in force until varied or discharged by a further Order of the Court.
- 9. **THIS COURT ORDERS** that notice of this Order shall be given by the creation of a URL whereby this Order can be viewed and downloaded, with the Plaintiff and the Intervenor posting the URL linking to the Order on their websites, being:
 - (a) <https://crhcanada.com/>

- (b) <https://www.dufferinaggregates.com/>
- (c) <https://www.dufferinconcrete.ca/>
- (d) <https://www.ontarioedimix.com/>
- (e) <https://www.dufferinconstruction.com/>
- (f) <https://www.nelsonaggregate.com/>

10. **THIS COURT ORDERS** that notice of this Order may be given in the following manners:

- (a) by posting copies of this Order at or around the Named Facilities;
- (b) by reading the Order to any person, including but not limited to reading the Order over an amplification system;
- (c) by publishing this Order online; and
- (d) by any other manner deemed appropriate by the parties or the Police.



Justice Mills

Schedule A: Named Facilities

Dufferin Aggregates sites:

Site Name	Location
Dufferin Aggregates Maple Yard	10351 Keele Street, Maple, ON, Canada L6A 1R7
Dufferin Aggregates Richmond Hill Yard	1631 Bethesda Side Rd., Gormley, ON, Canada L4E 0G8 - L0H 1G0
Dufferin Aggregates Aberfoyle Pit	125 Brock Road, Aberfoyle, ON, Canada N1H 6H9
Dufferin Aggregates Mill Creek Pit	7108 Concession 2, Cambridge, ON, Canada L3C 2V4
Dufferin Aggregates Mosport Pit	3565 Durham Rural Road #20, Orono, ON, Canada L0B 1M0
Dufferin Aggregates Paris Pit	716 Watts Pont Road, Paris, ON, Canada N3L 3E2
Dufferin Aggregates – Orillia Pit	4293 Fairgrounds Road, Orillia, ON, Canada L3V 6S1
Dufferin Aggregates Teedon Pit	40 Darby Road, Tiny, ON, Canada L0K 2E1
Dufferin Aggregates Cedar Creek Alps Pit	1649 Cedar Creek Road, Cambridge, Ontario, Canada N1R 5S5
Dufferin Aggregates Wolfe Pit	3180 Kressler Road, St. Jacobs, ON, Canada N0B 2N0
Dufferin Aggregates Henning Pit	1971 Dumfries Road, Cambridge, ON, Canada N1R 5S5
Dufferin Aggregates Westfield Pit	967720 Oxford Waterloo Road, New Dundee, ON, Canada N0B 2E0
Dufferin Aggregates Galt Brown	1529 Edworthy Side Road, Cambridge, ON, Canada N1R 5S2
Dufferin Aggregates Acton Quarry	12791 4th Line, Acton, ON, Canada L7J 2M1
Dufferin Aggregates Buckhorn Quarry	2291 Highway 36, Buckhorn, ON, Canada K0L 1J0
Dufferin Aggregates Flamboro Quarry	685 Brock Rd. RR #4, Dundas, ON, Canada L9H 5E4
Dufferin Aggregates Milton Quarry	9410 Dublin Line, Milton, ON, Canada L9T 2Y3
Dufferin Aggregates – Coboconk Quarry	33 Somerville Road, Coboconk, ON, Canada K0M 1K0
Dufferin Aggregates Hampshire Mills Quarry	3114 Burnside Line, Orillia, Township of Severn, ON, Canada L3V 6H4
Dufferin Aggregates Brechin	356 Miller Rd, Brechin, ON, Canada L0K 1B0
Dufferin Aggregates Carden Quarry	4272 County Road 47, Brechin, ON L0K 1B0

Dufferin Concrete plant sites:

Plant Site Name	Location
Dufferin Concrete Kitchener Office	5 Johnston Street, Kitchener, Ontario, Canada N2H 6N4
Dufferin Concrete Bowmanville	44 Port Darlington Road, Bowmanville, Ontario, Canada L1C 3K3
Dufferin Concrete Peterborough	3391 Park Hill Road East, Peterborough, Ontario, Canada K9J 6Y8
Dufferin Concrete Whitby	4860 Thickson Road North, Whitby, Ontario, Canada L1R 2W9

Plant Site Name	Location
Dufferin Concrete Toronto	650 Commissioner Street, Toronto, Ontario, Canada M4M 1A7
Dufferin Concrete Mississauga	3649 Erindale Station Road, Mississauga, Ontario, Canada L5C 2S9
Dufferin Concrete Etobicoke	1185 Martin Grove Road, Etobicoke, Ontario, Canada M9W 4W7
Dufferin Concrete Maple	10351 Keele Street, Maple, Ontario, Canada L6A 1R7
Dufferin Concrete Scarborough	1940 McCowan Road, Mississauga, Ontario, Canada M1S 4K1
Dufferin Concrete Markham	7655 Woodbine Avenue, Markham, Ontario, Canada L3R 2N4
Dufferin Concrete Malton	7481 Tranmere Drive, Malton, Ontario, Canada L5S 1L4
Dufferin Concrete Concord	71 Diesel Drive, Concord, Ontario, Canada M8W 4Z7
Dufferin Concrete Georgetown	301 Armstrong Avenue, Georgetown, Ontario, Canada L7G 4X6
Dufferin Concrete Bradford	215 Artesian Industrial Parkway, Bradford, Ontario, Canada L0G 1C0
Dufferin Concrete Beamsville	4240 Bartlett Road, Beamsville, Ontario, Canada L0R 1B0
Dufferin Concrete Burlington	3087 Harrison Court, Burlington, Ontario, Canada L7R 3X4
Dufferin Concrete Hamilton	886 Nebo Road, Hamilton, Ontario, Canada I0R 1P0
Dufferin Concrete Niagara Falls	5980 Don Murie Street, Niagara Falls, Ontario, Canada L2E 6X8
Dufferin Concrete Aylmer	279 Elm Street, Aylmer, Ontario, Canada N5H 3H3
Dufferin Concrete Cambridge	1531 Whistle Bare Road, Cambridge, Ontario, Canada N1R 5S3
Dufferin Concrete Kitchener	26 Forwell Road, Kitchener, Ontario, Canada N2B 3E8
Dufferin Concrete London	14742 Fifteen Mile Road, London, Ontario, Canada N6A 4B6
Dufferin Concrete Waterford	193 Concession 8 Townsend, Waterford, ON N0E 1Y0
Dufferin Concrete Stratford	3667 Perth Line 26 A, Stratford, Ontario, Canada N5A 7V8
Dufferin Concrete Tillsonburg	101 Newell Road, Tillsonburg, Ontario, Canada N4G 4H8

Dufferin Construction Asphalt Plant Sites:

Plant Site Name	Location
Bronte	731 Third Line, Oakville, ON L6L 4B2
Hamilton	1680 Upper Ottawa, Hamilton, ON L8W 3P2
Simcoe	231 Fourteenth St. West, Simcoe, ON N3Y 4K6
London	1788 Clark Road London, ON N6A 4V7
Lindsay	3664 Highway 35, Cameron, ON K9V 4S3
Holt	4772 Mount Albert Rd, East Gwillimbury, ON L0G 1M0
Cambridge	1453 Whistlebear Road Cambridge, ON N1R 553
Mosport (ASTECC)	3565 Boundary Road, Mosport, ON L0B 1M0
Barrie (CMI)	27 Napoleon Road, Barrie, ON L4M 0G8

Ontario Redimix Sites:

Plant Site Name	Location
Ontario Redimix Pickering	1605 Feldspar Court Pickering Ontario Canada L1W 3R7
Ontario Redimix Portlands	8 Unwin Avenue Toronto Ontario Canada M5A 3L1
Ontario Redimix Etobicoke	21 Goodmark Place, Unit 3 Etobicoke Ontario Canada M9W 6P9
Ontario Redimix Milton	105 Steeles Avenue East Milton Ontario Canada L9T 4K6
Ontario Redimix Hamilton	1875 Barton Street East Hamilton Ontario Canada L8H 2Y7

Nelson Aggregate sites:

Site Name	Location
Waynco Stuehler Pit	1735 Hwy 24, North Dumfries, Ontario N1R 5S6
Uhthoff Quarry	3114 Burnside Line, Severn, Ontario L3V 0W1
Burlington Quarry	2433 No. 2 Sideroad, Burlington, Ontario L7P 0G8
Lincoln Quarry	5362 Young Street, Beamsville, Ontario L0R 1B2
Oneida Quarry	514 Dry Lake Road, Haldimand, Ontario N0A 1H0
Waynco Myers Pit	1417 Waynco Road, Cambridge, Ontario N1R 5S6
Oro Pit	2200 Line 9 N, Hawkestone, Ontario L0L 1T0
Alliston Pit	8158 Tosorontio Sideroad 5, Everett, ON L0M 1J0

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Plaintiff

-and- ONTARIO AGGREGATE TRUCKING ASSOCIATION et al.
Defendants

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PROCEEDING COMMENCED AT
MILTON

ORDER

GOWLING WLG (CANADA) LLP

Barristers & Solicitors
1 First Canadian Place
100 King Street West, Suite 1600
Toronto ON M5X 1G5

Tel: 416-862-7525

Sahil Shoor (657090)
sahil.shoor@gowlingwlg.com
Tel: 519-571-7604

Bevin Shores (56161F)
bevin.shores@gowlingwlg.com
Tel: 905-540-2468

Michael S. F. Watson (17996I)
michael.watson@gowlingwlg.com
Tel: 416-369-7245

Marco Romeo (70111G)
marco.romeo@gowlingwlg.com
Tel: 416-862-5751

Tom Collins (82185A)
tom.collins@gowlingwlg.com
Tel: 416-369-7104

Lawyers for the plaintiff