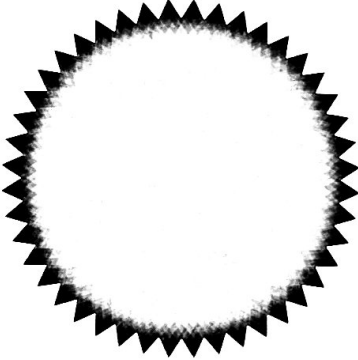


**ONTARIO  
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE MR. ) THURSDAY, THE 24th DAY OF  
JUSTICE LOFCHIK )  
) AUGUST, 2017  
)

BETWEEN:



CITY OF HAMILTON  
Applicant  
and  
CONRAD FLOYD  
Respondent

**ORDER**

**THIS APPLICATION** made with notice for interim injunctive relief was heard this day at the Hamilton Superior Court of Justice, 45 Main Street East, Hamilton, Ontario.

**ON READING** the Application Record of the Applicant, the Supplementary Application Record of the Applicant, the affidavits and the attached exhibits thereto, filed; the Applicant's Factum and Book of Authorities, filed; and on hearing the submissions of counsel for the Applicant and on hearing the submissions of <sup>counsel for</sup> the Respondent:  
A

1. ~~THIS COURT DECLARES~~ that the Respondent, by using the property at 275 King Street East, Hamilton, Ontario to sell, store and distribute marijuana, and to sell food and beverages, has contravened by-laws enacted by the City of Hamilton, specifically City of Hamilton By-Law 05-200 and By-Law 07-170.

2. **THIS COURT ORDERS** that the Respondent, his agents, tenants, anyone acting on his behalf, and any related companies, directors, officers, employees, and agents immediately cease using the property located at 275 King Street East, Hamilton, Ontario for the sale, storage or distribution marijuana or for any other non-permitted uses in contravention of

*By-Law 05-200 and By-Law 07-170, and cease using the property for the sale or distribution of marijuana or marijuana products to anyone without a valid prescription and government authorization or authorization from a Licensed Producer, in contravention of By-Law 05-200, ~~and~~*

3. ~~THIS COURT ORDERS~~ that the Respondent, his agents, tenants, anyone acting on his behalf, and any related companies, directors, officers, employees, and agents immediately cease using the property located at 275 King Street East, Hamilton, Ontario for the operation of a cannabis lounge and marijuana dispensary or for any other non-permitted uses in contravention of By-Law 05-200 and By-Law 07-170.

4. **THIS COURT ORDERS** an interim injunction restraining the Respondent, his agents, tenants, anyone acting on his behalf, and any related companies, directors, officers, employees, and agents from contravening By-law 05-200 and/or By-law 07-170, specifically that the Respondent, his agents, tenants, anyone acting on his behalf, and any

*related companies, directors, officers, employees, and agents be barred from resuming the any non-permitted uses in contravention of By-Law 07-170, and from sale, storage, or distribution of marijuana or any other non-permitted uses at the property at resuming the sale or distribution of marijuana and marijuana products to anyone without a valid prescription and government authorization or authorization from a Licensed Producer, in contravention of By-Law 05-200.*

~~275 King Street East, Hamilton, Ontario until such time as such use is permitted by By-law 05-200 and By-law 07-170 or until such time as the final disposition of this Application by this Honourable Court.~~

5. ~~**THIS COURT ORDERS** an interim injunction restraining the Respondent, his agents, tenants, anyone acting on his behalf, and any related companies, directors, officers, employees, and agents from contravening By-law 05-200 and/or By-law 07-170, specifically that the Respondent, his agents, tenants, anyone acting on his behalf, and any related companies, directors, officers, employees, and agents be barred from resuming operation of a cannabis lounge and marijuana dispensary or any other non-permitted uses at the property at 275 King Street East, Hamilton, Ontario until such time as such use is permitted by By-law 05-200 and By-law 07-170 or until such time as the final disposition of this Application by this Honourable Court.~~
6. **THIS COURT ORDERS** the Applicant, its servants or agents, are permitted to affect the closure of the property at 275 King Street East, Hamilton, Ontario in the event that the Respondent, his agents, tenants, anyone acting on his behalf, and any related companies, directors, officers, employees, and agents or anyone having notice of this Order, fails to comply with the terms of the Order.
7. **THIS COURT ORDERS** that upon the request of the Applicant, the Hamilton Police Service or any other police service in the Province of Ontario is hereby authorized and directed to take all reasonable steps to assist in the enforcement of this Order.

8. THIS COURT ORDERS that this Application is adjourned to the long motions list the ~~writes of~~ for week to be set by the kind co-ordinator mm
9. THIS COURT ORDERS that costs of the Application are reserved to the Justice hearing the Application on the return date.

J. M. H. J.

CITY OF HAMILTON  
Applicant

and

CONRAD FLOYD  
Respondent

Court File No.: 17-62329

*ONTARIO*

SUPERIOR COURT OF JUSTICE

Proceeding commenced at Hamilton

**ORDER**

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