



-Court File No. CV-23-00704972-0000

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE  
MR. JUSTICE CHALMERS

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MONDAY, THE 28TH  
DAY OF AUGUST, 2023

B E T W E E N:

*(Court Seal)*

**METRO ONTARIO INC.**

Plaintiff  
(Moving Party)

- and -

**UNIFOR AND ITS LOCAL 414, GORD CURRIE, TONY FALCONE SAMANTHA  
HENRY, TAMMY LAPORTE, JEFFREY WARRY,  
KIM COUGHLIN, KERI HOSENY, MIKE TRISCHLER,  
JACKSON JARE, COURTNEY COOK, BARRY LINES, XAVIER RODRIGUES,  
TAMARA ROSE, BUDOR YAAQOB, FARRAH WHYTE, MATHEW OHINSKI, ROB  
PISAPIA, COLLEEN SCOTT, ANDREA PETT, CHRIS FRITH, ALLISON HARBISON,  
MARY ANN KATRYNUK, CHARLOTTE MORROW, GIOVANNI ZAMBRI, CHARLIE  
CAVARRA, MINDY COUSINS, RENEE GLOYNS, ARIELLA MUSCAT, PHELISA  
TALBOT AND OTHER PRESENTLY UNIDENTIFIED PICKETERS**

Defendants

**ORDER**

THIS MOTION, made by the Plaintiff for injunction requiring the Defendants, their respective agents, servants and persons acting under their instruction or anyone aiding or assisting them and those to whom notice of the Order shall come to cease and desist from blockading, obstructing or impeding access or egress of any person or vehicle onto or out of the Plaintiff's premises at 5559 Dundas Street West, Toronto; 75 Vickers Road,

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Toronto; 170 and 190 The West Mall, Toronto and on or adjacent to the roads, highways or public sidewalks leading thereto, was heard by videoconference at the courthouse at 330 University Avenue, 9th Floor, Toronto, ON M5G 1R7.

ON READING the Plaintiff's Notice of Motion, Motion Record and Factum and the Defendant's Motion Record and Factum, and on hearing the submissions of counsel for the parties,

**THIS COURT ORDERS** that:

1. The Defendants, their respective agents, servants, and persons acting under their instructions, or instructions of any of them, or anyone aiding or assisting them or any one of them and those to whom notice of this order shall come, (the "Pickers") be restrained until 11:59 p.m. on Friday, September 1, 2023 or other disposition of this Action, from unlawfully blocking, obstructing, impeding, delaying the immediate and unobstructed access to or exit from the following properties (including on or adjacent to the roads, highways or public sidewalks leading thereto) or otherwise interfering with access to and egress from the properties:

- (a) the Plaintiff's Distribution Centre located at 5559 Dundas Street West, Toronto, Ontario (Cold Chain Distribution Centre, which is co-located with the Plaintiff's corporate offices);
- (b) the Plaintiff's Distribution Centre located at 75 Vickers Road, Toronto, Ontario (Fresh Distribution Centre); and,
- (c) the Plaintiff's Distribution Centres located at 170 and 190 The West Mall, Toronto, Ontario (Frozen and Grocery Distribution Centres);
- (d) the Plaintiff's corporate offices and Food Basics store located at 5559 Dundas Street West, Toronto, Ontario;

(collectively, the “Premises”)

except as follows:

(a) **Entry and Egress For Tractors, Delivery Trucks or Tractor Trailers**

- (i) Picketers may delay any tractors, delivery trucks or tractor-trailers entering or exiting the Premises for the purposes of peacefully communicating information for a maximum of 5 minutes. At the end of every 10 minute period, the first such vehicle and the 9 following vehicles (or such lesser number as may be stationary in the line) shall be cleared for entry or exit by Picketers without delay; and

2. **Emergency Vehicles:** Picketers shall not delay or impede access to or egress from Premises to the following vehicles:

- (i) Emergency vehicles of any kind provided that the only occupants of the vehicles are emergency services personnel;
- (ii) Vehicles of security personnel, including the Plaintiff’s in-house security personnel and personnel contracted to provide security services at the Premises;
- (iii) Fuel Trucks and Trailer Repair vehicles;

3. **Pedestrians:** Picketers shall not delay or impede access to or egress from the Premises for any pedestrian;

4. **Customers and Employees of Food Basics Store located at 5559 Dundas Street West, Toronto (the “Store”).** Picketers shall not delay or impede access to or egress from the Food Basics Store located at 5559 Dundas Street West, Toronto in respect of customers or employees of the Store;

5. Officers and Officials of Unifor, including Mr Lines, and its Local 414, including Mr Currie and Mr Falcone, shall take all necessary steps, including posting on

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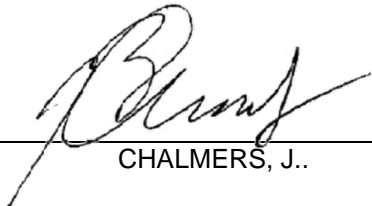
the Website and posting and pinning for a period of 72 hours on their respective X (formerly Twitter) account of Unifor and Unifor Local 414, to ensure that their agents, servants and representatives or any person or persons acting under their instructions or any one of them or anyone having knowledge of the court's order(s) comply with the order(s);

6. The Defendants and their respective agents, servants and any persons acting under their instructions, or instructions of any of them, or anyone aiding or assisting them or any one of them and those to whom notice of the order shall come, shall not intimidate or harass, or attempt to intimidate or harass any employees, contractors or vendors of the Plaintiff or members of the public attempting to use or access the Premises;

7. The Sheriff of the judicial district that includes Toronto, Ontario shall do all things reasonably able to be done, with such force and assistance as is required in the circumstances, to prevent or stop breaches of the Order, and in the event the Sheriff believes that the execution of the Order may give rise to a breach of the peace, he or she may require a police officer to accompany him in the execution of the Order;

8. The Toronto Police Service shall do all things necessary to assist the Sheriff in preventing or stopping breaches of any court order(s)

9. This Order shall take effect immediately and remain in effect until 11:59 p.m. on Friday, September 1, 2023

  
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CHALMERS, J..

Court File No.:	
METRO ONTARIO INC.	(Defendant)
-and- UNIFOR et al.	(Plaintiff)
<div><div><div><div>ONTARIO SUPERIOR COURT OF JUSTICE</div><div>Proceeding commenced at Toronto</div></div><div>ORDER</div><div><div>HICKS MORLEY HAMILTON STEWART STORIE LLP</div><div>77 King Street West, 39th Floor Box 371, TD Centre Toronto ON M5K 1K8</div><div><div>Kimberly D. Pepper (LSO No.: 41170K) Tel: 416.864.7264 Fax: 416.362.9680 E-mail: kimberly-pepper@hicksmorley.com</div><div><div>David Bannon (LSO No.: 35359D) Tel: 416.864.7023 Fax: 416.362.9680 E-mail: david-bannon@hicksmorley.com</div><div>Lawyers for the Plaintiff/Moving Party</div></div></div></div></div></div>	