

**COURT OF APPEAL FOR ONTARIO**

THE HONOURABLE ASSOCIATE )  
CHIEF JUSTICE OF ONTARIO )

THURSDAY, THE 8<sup>th</sup>  
DAY OF AUGUST, 2019

B E T W E E N:

ATTORNEY GENERAL OF ONTARIO

Appellant

and

JEFFREY BOGAERTS

Respondent



**ORDER**

**THIS MOTION**, made by the Railway Association of Canada for an Order granting leave to intervene as a friend of the court, was heard in writing on August 8<sup>th</sup>, 2019 at Osgoode Hall, 130 Queen Street West, Toronto, Ontario.

**ON READING** the motion record of the Railway Association of Canada and on confirming that the motion for leave to intervene is unopposed,

1. **THIS COURT ORDERS** that the Railway Association of Canada (“RAC”) shall have leave to intervene as a friend of the court in this appeal.
2. **THIS COURT ORDERS** that RAC shall be entitled to serve a factum in the appeal not to exceed 15 pages in length by August 16, 2019 or within any schedule that is ordered by the court for the delivery of materials for the appeal.

3. **THIS COURT ORDERS** that by September 13, 2019, or within any schedule that is ordered by the court for the delivery of materials for the appeal, the appellant and the respondent shall be entitled to serve a factum in reply to the interveners' facta.
4. **THIS COURT ORDERS** that subject to the direction of the panel hearing the appeal, RAC may present oral argument at the hearing of the appeal not to exceed 15 minutes.
5. **THIS COURT ORDERS** that RAC shall not raise new issues or adduce further evidence or otherwise supplement the record of the parties.
6. **THIS COURT ORDERS** that RAC shall consult with the other interveners to avoid repetition in the interveners' facta and oral arguments.
7. **THIS COURT ORDERS** that the parties may serve the appeal books and compendium and exhibit book and their facta and books of authorities on RAC by delivering an electronic copy by email or file-sharing application.
8. **THIS COURT ORDERS** that RAC will serve its factum and book of authorities by delivering an electronic copy by email or file-sharing application.
9. **THIS COURT ORDERS** that RAC will not seek, nor will they be subject to, any award of costs including the costs of the motion for leave to intervene.

ENTERED AT / INSCRIPT À TORONTO  
ON / BOOK NO:  
LE / DANS LE REGISTRE NO.:

AUG 13 2019

PER / PAR: TS



REGISTRAR

COURT OF APPEAL FOR ONTARIO

ATTORNEY GENERAL OF ONTARIO  
Respondent  
(Appellant)

-and- JEFFREY BOGAERTS  
Applicants  
(Respondents in Appeal)

Court of Appeal File No. C66542  
Superior Court File No.: 749/13

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**COURT OF APPEAL FOR ONTARIO**

PROCEEDING COMMENCED AT  
PERTH

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**ORDER  
(MOTION FOR LEAVE TO INTERVENE)**

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