

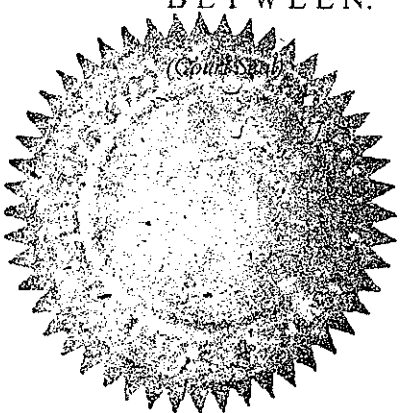
**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE *E. Macdonald J.*

THURSDAY, THE 10TH

DAY OF JUNE 2010

BETWEEN:



COLLEGE OF OPTICIANS OF ONTARIO

Applicant

and

SANGITA GANDHI and NEW FOCUS OPTICAL LAB

Respondents

ORDER

THIS MOTION, made by the Applicant, was heard this day at the court house, Osgoode Hall, 130 Queen Street West, Toronto, Ontario, M5H 2N5.

ON READING the Application Record and the Minutes of Settlement between the College of Opticians of Ontario, Sangita Gandhi and New Focus Optical Lab, attached hereto and marked as Schedules "A", and on hearing the submissions of the lawyer for the Applicant,

1. **THIS COURT DECLARES THAT** the Respondent, Sangita Gandhi:

- (a) violated ss.27(1) and 30(1) of the *Regulated Health Professions Act, 1991*, ("*RHPA*") by performing a Controlled Act (as defined in the *RHPA*) in the course of providing health care services; and

(b) breached ss.9(3) of the *Opticianry Act, 1991* by holding herself out as a person who is qualified to practise in Ontario as an optician or in a specialty of opticians.

2. **THIS COURT ORDERS THAT** the Respondent, Sangita Gandhi:

(a) cease and desist performing a Controlled Act in the course of providing health care services as she is not a registered member of the College and is not authorized to perform Controlled Acts; and

(b) cease and desist holding herself out as a person who is qualified to practise in Ontario as an optician or in a specialty of opticians, as she is not a member of the College of Opticians of Ontario.

3. **THIS COURT DECLARES THAT** the Respondent, New Focus Optical Lab violated ss.42(1) of the *RHPA* as it employed an individual who performed Controlled Acts (as defined in the *RHPA*) while not a registered member of the College.

4. **THIS COURT ORDERS THAT** the Respondent, New Focus Optical Lab, cease and desist employing individuals who perform Controlled Acts while not registered persons, contrary to ss.42(1) of the *RHPA*.

5. **THIS COURT ORDERS THAT** the Respondents, Sangita Gandhi and New Focus Optical Lab, pay costs in the amount of \$1,500.00 to the Applicant, College of Opticians of Ontario, within thirty days of the date of this Order.

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

JUN 11 2010

AS DOCUMENT NO.:
À TITRE DE DOCUMENT NO.:
PER / PAR:

