

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE *MADAM* )  
JUSTICE *Low* )

✓ THE *30<sup>th</sup>*  
DAY OF *MAY* ✓*M*, 2013

BETWEEN:



COLLEGE OF OPTICIANS OF ONTARIO

Applicant

- and -

TONY FRISOLI (ALSO KNOWN AS ANTONIO FRISOLI), IDOL OPTICAL INC.,  
MODA OPTICAL AND SUNGLASS DEPOT LIMITED,  
AND WAREHOUSE OPTICAL INC.

Respondents

APPLICATION UNDER Section 87 of the *Health Professions Procedural Code*,  
being Schedule 2 to the *Regulated Health Professions Act, 1991*, S.O. 1991, c. 18

**ORDER**

**THIS APPLICATION** was heard in writing this day,

**ON READING THE AMENDED NOTICE OF APPLICATION**, the Affidavit of Tania Buko, the Affidavit of Stephen King, the Affidavit of Erica Richler and the Certificate of the Registrar of the College of Opticians of Ontario and upon reading the Consent of the parties, filed,

1. **THIS COURT ORDERS** pursuant to subrule 38.09(4) of the *Rules of Civil Procedure* that the Applicant may dispense with compliance with the requirement in subrule 38.09(1) to serve and file a factum.

2. **THIS COURT ORDERS** that Tony Frisoli and anyone employed by or otherwise acting on his behalf comply with sections 4 and 9 of the *Opticianry Act, 1991* and section 27 of the *Regulated Health Professions Act, 1991* and, in particular, that Tony Frisoli cease and desist:

- (i) holding himself out as a person who is qualified to practise in Ontario as an optician, and
- (ii) performing any controlled acts including dispensing subnormal vision devices, contact lenses or eye glasses.


3. **THIS COURT ORDERS** that the Respondents comply with section 42 of the *Regulated Health Professions Act, 1991* and, in particular, that the Respondents cease and desist employing any person who performs controlled acts unless the person is a member authorized by a health profession Act to perform the controlled act or the performance of the controlled act has been properly delegated to that person.

4. **THIS COURT ORDERS** the Respondents to pay costs to the Applicant, on a joint and several basis, in the amount of \$5,000.00 within 30 days of the date of this Order.

JUN 10 2013

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

JUN 12 2013

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



R. Ittleman, Registrar  
Superior Court of Justice

College of Opticians of Ontario  
Applicant

AND

Tony Frisoli  
Respondent

Court File No. CV 13 475558

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at Toronto, Ontario



**ORDER**

**STEINECKE MACIURA LEBLANC**  
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