

JAN. 8. 2015 (5)

COLLEGE OF OPTICIANS OF ONTARIO

-and-

DONALD OPTICAL INC., et. al.

Applicant

Respondents

Court File No. CV-14-514829

Jan. 8, 2015

N. Danson
R. Durcan

No one appearing for the defendants, respondents
though duly served,

The applicant is entitled to the relief
sought, including costs on a
substantial indemnity basis. Order
to issue in the form attached, as
amended and signed by me.

Frank J.

**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceedings commenced at Toronto, Ontario

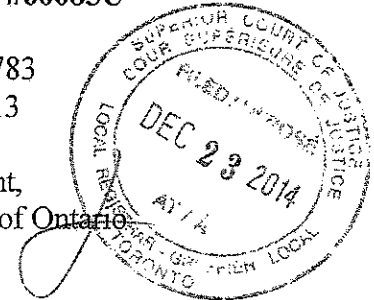
APPLICATION RECORD OF THE APPLICANTS

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Lawyers for the Applicant,
the College of Opticians of Ontario



COURT FILE NO.: Court File No. CV-14-514829

ONTARIO
SUPERIOR COURT OF JUSTICE

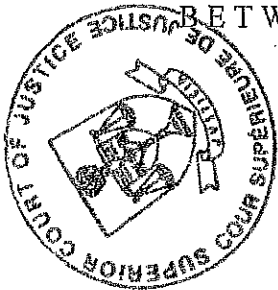
THE HONOURABLE)

JUSTICE *FRANK*)

THURSDAY, THE 8th

DAY OF JANUARY, 2015

BETWEEN:



COLLEGE OF OPTICIANS OF ONTARIO

Applicant

- and -

DONALD OPTICAL INC., DONALD HON CHU WONG, XIANG LIU AND/OR
JOEY LIU, VICKY WONG AND MABEL (OR MABLE) RUAN

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, made by the Applicant, the College of Opticians of Ontario (the "College"), was heard on this day at 393 University Avenue, 8th Floor, Toronto, Ontario.

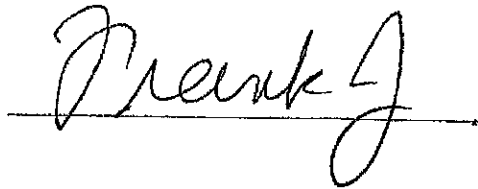
ON READING the Notice of Application dated October 24, 2014, the Certificate of the College's Registrar dated July 14, 2014, the affidavits of Stephen King sworn October 3, 2014, Nitasha Nanda sworn July 14, 2014, Amy Shillington sworn July 11, 2014, and Tracie Atkinson sworn July 24, 2014, and the factum and book of authorities of the Applicant, upon hearing submissions of counsel for the College, no one appearing on behalf of the Respondents although properly served,

THIS COURT ORDERS THAT:

1. The Respondent Donald Optical Inc. comply with s. 42 of the *Regulated Health Professions Act, 1991* (the "RHPA") and, in particular, that Donald Optical Inc. immediately cease and desist employing any person who performs controlled acts as defined under the *RHPA* unless the person is a member of the College 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;
2. The Respondent Donald Hon Chu Wong comply with s. 42 of the *RHPA* and, in particular, that Donald Hon Chu Wong immediately cease and desist employing any person who performs controlled acts as defined under the *RHPA* unless the person is a member of the College 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;
3. The Respondent Xiang Liu ^{EF} ~~also known as Vicky Liu and/or Vicky Wong~~ ^{EF} comply with s. 42 of the *RHPA* and, in particular, that Xiang Liu ^{EF} ~~also known as Vicky Liu and/or Vicky Wong~~ ^{EF} immediately cease and desist employing any person who performs controlled acts as defined under the *RHPA* unless the person is a member of the College 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. Mabel (or Mable) Ruan comply with s. 4 of the *Opticianry Act, 1991* and s. 27 of *RHPA* and, in particular, that Mabel (or Mable) Ruan immediately cease and desist:
 - a. Holding out as a person who is qualified to practise in Ontario as an optician pursuant to s. 9 of the *Opticianry Act, 1991*, and

- b. Performing any controlled acts as defined under the *RHPA* including dispensing subnormal vision devices, contact lenses or eye glasses; and
5. The Respondents, Donald Optical Inc., Donald Hon Chu Wong, Xiang Liu ^{at} also known as Vicky Liu and/or Vicky Wong, ^{at} and Mabel (or Mable) Ruan, jointly and severally, to pay to the Applicant its costs of this application fixed in the amount of ~~at~~ \$ 14,646.30 inclusive of HST and disbursements, payable within 14 days of the date of this Order ^{EF}

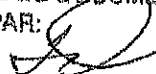
THIS ORDER bears interest at the rate of three percent (3%) per annum commencing on January 8, 2015.



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

JAN 09 2015

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



COLLEGE OF OPTICIANS OF ONTARIO

-and-

DONALD OPTICAL INC., et. al

Applicant

Respondents

Court File No. CV-14-51829

**ONTARIO
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Proceedings commenced at Toronto, Ontario

ORDER

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