ONTARIO SUPERIOR COURT OF JUSTICE (Toronto Region)

THE HONOURABLE M.K.	et.)	Thurs DAY, THE
JUSTICE HAINEY)	2380 DAY OF
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IN THE MATTER of an application by the Attorney General of Ontario for an order restraining certain property pursuant to section 490.8 of the *Criminal Code*.

RESTRAINT ORDER

UPON THE *EX PARTE* **APPLICATION** in writing made this day by the Attorney General for Ontario for an order pursuant to section 490.8 of the *Criminal Code*.

AND UPON READING the Notice of Application and the Affidavit of Nathalie Urbas, peace officer and member of the Toronto Police Service, sworn July 23, 2015, which Affidavit accompanies the application.

AND UPON BEING SATISFIED that there is no requirement of notice of this application as giving notice could result in the disappearance, dissipation or reduction of value of the property sought to be restrained or otherwise affect the property so that all or part thereof could not be subject to an order of forfeiture under the *Criminal Code*.

AND UPON BEING SATISFIED that there are reasonable grounds to believe that there exists offence-related property in respect of which an order of forfeiture may be made under the *Criminal Code*, to wit:

Any and all data unlawfully acquired from www.ashleymadison.com including, but not limited to: customer records, customer profiles, images, conversations, credit card information and transactions, and employee documents and emails.

(hereinafter called "the Property")

- 1. **THIS COURT ORDERS** that all persons are prohibited from disposing of, or otherwise dealing with, in any manner whatsoever, any interest in the Property, except as hereinafter provided.
- 2. **THIS COURT FURTHER ORDERS** that no action, application or other proceedings shall be taken against the Property without leave of this Court first being obtained. In the event that any action, application or other proceeding is commenced, the Director of Asset Management Criminal shall be served in the manner set out in this Order.
- 3. **THIS COURT FURTHER ORDERS** that a copy of this order be served in accordance with the *Criminal Proceedings Rules* upon the following persons:



- Any other person having possession, control or the ability to access the Property.
- 4. **THIS COURT FURTHER ORDERS** that service of any documents or notices of any application on the Attorney General for Ontario or the Director of Asset Management Criminal shall be served at the Crown Law Office Criminal, 720 Bay Street, 10th Floor, Toronto, Ontario, M7A 2S9.

Ontario Superior Court of Justice

TAKE NOTICE

Section 490.8(9) of the Criminal Code provides as follows:

Any person on whom a restraint order made under this section is served in accordance with this section and who, while the order is in force, acts in contravention of or fails to comply with the order is guilty of an indictable offence or an offence punishable on summary conviction.

ONTARIO SUPERIOR COURT OF JUSTICE (Toronto Region)

IN THE MATTER OF an application by the Attorney General of Ontario for an Order restraining certain property pursuant to section 490.8 of the *Criminal Code of Canada*

RESTRAINT ORDER

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