

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE) Thursday, the 20th day
MADAM JUSTICE HIMEL) of March, 2008
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IN THE MATTER BETWEEN:

THE SUPERINTENDENT OF PRIVATE CAREER COLLEGES

Applicant/Moving Party

-and-

CAFT INTERNATIONAL INC., O/A INDUSTRAIN COLLEGE

Respondents

AND

Court File No. 08-CV-350471 PD1

**ONTARIO
SUPERIOR COURT OF JUSTICE**

AND IN THE MATTER BETWEEN:

THE SUPERINTENDENT OF PRIVATE CAREER COLLEGES

Applicant/Moving Party

- and -

CAFT INTERNATIONAL INC., O/A INDUSTRAIN COLLEGE, GUO FAN HUANG,
PAUL WALTERS, AND DAVID CHADDOCK

Respondents

ORDER

THIS MOTION made by the Applicant/Moving Party, the Superintendent of Private Career Colleges, for an Order granting interim injunctive relief pending the hearing of the main applications, was heard on March 20, 2008 at Superior Court of Justice, 130 Queen Street West, Toronto, Ontario.

UPON READING the Applicant's Motion Record, Application Records, Factum And Book of Authorities, and upon hearing the submissions of Counsel for the Applicant/Moving Party and the submissions of the self-represented Respondents,

1. **THIS COURT ORDERS** that the Respondents or anyone acting on their behalf and all other persons to whom notice of the order may be given, by themselves, their servants or agents, are hereby prohibited from offering the following vocational programs of CAFT International Inc. o/a Industrain College:

Welding (MIG,TIG, Gas) Welding Workshop Training PLC Certificate Program PLC Programming PLC Programming & Welding PLC Industrial Instrument Mechanic Millwright Millwright and PLC Programming Advanced PLC System Advanced PLC Programming Advanced PLC Programming & Millwright Advanced PLC Programming & Industrial Mechanic Millwright Advanced PLC Programming & Industrial Electrician Automotive Service Technician Automotive Service Technician Hands-on Training CNC Operation Programming Business Administration	Advanced CNC Programming Advanced CNC Programming Certificate Advanced CNC Programming and AutoCad 2D/3D CNC Programming Operating Engineer Plumber and Internship Tool and Die Maker Tool and Die Maker & CNC Programming Industrial Mechanic (Millwright) Gas Fitter Technician Gas Fitter II Gas Fitter Technician and Plumbing Electrician Certificate HVAC HVAC Mechanic Computerized Accounting Electrician Industrial Electrician Refrigeration and Air Condition Mechanic Windows Network Services Program
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2. **THIS COURT ORDERS** that the Respondents or anyone acting on their behalf and all other persons to whom notice of the order may be given, by themselves, their

servants or agents, are hereby prohibited from offering the following vocational programs of the joint venture HVAC Cooperative Education Program:

Gas Technician 1
 Gas Technician 2
 Gas Technician 3
 Residential Air Conditioning Mechanic
 HVAC Sales Training
 Special Seminars in the HVAC Field

3. **THIS COURT ORDERS** that the Respondents or anyone acting on their behalf are hereby prohibited, in relation to CAFT International Inc. o/a Industrain College or HVAC Cooperative Education Program, from taking the following steps contrary to the *Private Career Colleges Act, 2005*:

- a. Operating a private career college;
- b. Holding themselves out as the operator of a private career college;
- c. Offering or providing vocational programs for a fee;
- d. Charging or collecting a fee in relation to a vocational program;
- e. Advertising a private career college;
- f. Soliciting another person to enrol as a student in a vocational program;
- g. Obtaining or assisting students in obtaining third party funding for vocational programs; and,
- h. Hindering, obstructing or interfering with the Superintendent or designate conducting an inquiry or examination pursuant to section 38 of the *Private Career Colleges Act, 2005*.

4. **THIS COURT ORDERS** that the Respondents CAFT International Inc. o/a Industrain College and Guo Fan Huang are hereby restrained from contravening section 48(1) (b) of the *Private Career Colleges Act, 2005* through their continued

non-compliance with the Superintendent's Order made under subsection 46(1) of the Act and issued on September 17, 2007.

5. **THIS COURT ORDERS** that the injunctive provisions of this Order as set out above shall take effect immediately and shall continue to have legal force and effect until the hearing of the permanent injunction by the Court. The matter is returnable on Friday March 28, 2008 at 9:00am in Triage Court to set a date for a one day hearing of the permanent injunction. At that time, the corporation shall be represented or seek leave to be represented by Guo Fan Huang.

6. **THIS COURT ORDERS** that the Respondents Guo Fan Huang and CAFT International Inc. o/a Industrain College pay the Applicant/Moving Party its costs of this motion, fixed in the amount of \$36,640.20, payable within 30 days. The Respondents Walters and Chaddock shall pay the Applicant/Moving Party costs of \$5,000 each, payable within 30 days. These costs shall bear interest at a rate of 6% per year commencing April 19, 2008.

G.R Johnson
Deputy Registrar

THE SUPERINTENDENT OF PRIVATE CAREER COLLEGES and CAFT INTERNATIONAL INC., O/A INDUSTRRAIN COLLEGE

Applicant/Moving Party

Respondents

Court File No. 08-CV48187

THE SUPERINTENDENT OF PRIVATE CAREER COLLEGES and CAFT INTERNATIONAL INC., O/A
INDUSTRRAIN COLLEGE, GUO FAN HUANG,
PAUL WALTERS and DAVID CHADDOCK

Applicant (Moving Party)

Respondents

Court File No. 08-CV-350471 PD1

ONTARIO SUPERIOR COURT OF JUSTICE

ORDER

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