

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE)
JUSTICE TOSCANO ROCCAMO) TUESDAY, THE 14th DAY
OF AUGUST, 2018

B E T W E E N:

COLLEGE OF PHYSICIANS AND SURGEONS OF ONTARIO

Moving Party

- and -

EVE STEWART

Respondent

ORDER

THIS MOTION, made by the Moving Party, College of Physicians and Surgeons of Ontario, for an Order under Rules 60.05 and 60.11 of the *Rules of Civil Procedure*, R.R.O. 1990, Reg. 194 that the Respondent, Eve Stewart, is in contempt of an order of this Court, was heard this day at 161 Elgin Street, Ottawa, Ontario.

ON READING the Notice of Motion, Motion Record, Supplementary Motion Record, Factum, and the Brief of Authorities of the Moving Party, filed, and the Affidavits of the Respondent, filed,

ON HEARING the evidence of the Respondent, and the submissions of the parties, at the hearing of this motion,

1. **THIS COURT ORDERS** that Eve Stewart is in contempt of: the Order of Justice Roger dated June 5, 2017 (the "2017 Order"), attached as Appendix "A" to this Order; and the Order of Justice Hackland dated May 22, 2014 (the "2014 Order"), attached as Appendix "B" to this Order.
2. **THIS COURT FURTHER ORDERS** that Eve Stewart continues to be bound by the terms of the 2014 Order and the terms of the 2017 Order, including, but not limited to:
 - a. Paying the remainder of the fine to the Minister of Finance in the amount of \$1,550.00 at a rate of no less than \$25.00 per month starting in February 2019;
 - b. Providing proof to the College upon request confirming these payments, including copies of receipts;
 - c. Immediately and permanently posting a prominent sign in the form prescribed by the 2017 Order, in the procedure rooms and waiting rooms in each and every location where she provides esthetic services, including at Eve's Laser Clinic located at 13 Viewmount Drive, Nepean, ON, K2G 1R7 (the "premises");
 - d. Permanently granting the College access to unannounced visits at every location in Canada where she provides esthetic services, including the premises, up to four times annually per location, for the purpose of the College ascertaining her compliance with the 2014 Order, the 2017 Order, and the present Order;
 - e. Paying the costs of the Moving Party as set out in the 2017 Order in the amount of \$9,196.00.
3. **THIS COURT FURTHER ORDERS** that Eve Stewart immediately and permanently cease injecting any injectable medications or substances, including cosmetic fillers and Botox, to herself.
4. **THIS COURT FURTHER ORDERS** that, in lieu of paragraph 1(ii)(c) of the 2017 Order, Eve Stewart will run a notice in the Ottawa Citizen at least two times within two months of the date that this Order is made, in the form prescribed by the 2017 Order.
5. **THIS COURT FURTHER ORDERS** that Eve Stewart shall not possess syringes, needles or other injection paraphernalia that may be used to perform a procedure on tissue below the dermis, or injectable medications including, but not limited to, cosmetic fillers and Botox.

6. **THIS COURT FURTHER ORDERS** that Eve Stewart shall not obstruct representatives of the College during any future unannounced visits conducted pursuant to the authority of the 2017 Order, to ascertain her compliance with: the 2014 Order; the 2017 Order; and this Order.

7. **THIS COURT FURTHER ORDERS** that any and all representatives of the Moving Party shall remove boots or shoes before walking through the premises, at the time they attend for an unannounced visit.

8. **THIS COURT FURTHER ORDERS** that the Moving Party waives costs for the preparation and attendance at today's motion only.

M. Toscano Roc

