

Court File No. 141-07

**SUPERIOR COURT OF JUSTICE
(Central East Region)**

THE HONOURABLE JUSTICE SHAUGHNESSY

FRIDAY, the 16th DAY
OF NOVEMBER, 2012

IN THE MATTER OF a Contempt Order issued against Donald Best
On January 15, 2010, by the Honourable Justice Shaughnessy

NELSON BARBADOS GROUP LTD.

Applicant
Plaintiff

-and-

RICHARD IVAN COX, et al.

Respondents
Defendants

ORDER

THIS Application, made by counsel on behalf of the Applicant, Donald Best, for an Order setting aside the contempt order of January 15, 2010, was spoken to on November 16, 2012 at the Superior Court of Justice, Durham Region Courthouse, 150 Bond Street East, Oshawa, Ontario, by the Honourable Justice Shaughnessy.

UPON HEARING submissions from counsel for *The Applicant and for The Respondents Kristina Estates Limited, and The Natco House Corp's East Caribbean Firm,*

1. THIS COURT ORDERS that this Application is adjourned to December 11, 2012, at 9:30 a.m. to permit the Applicant to retain new counsel or alternatively to confirm that he has filed a Notice of Intention to Act in Person.
2. AND THIS COURT ORDERS that Mr. Greenspan shall remain counsel of record until at least December 11, 2012, being the return date of this application.
3. AND THIS COURT ORDERS that Mr. Greenspan shall provide to Mr. Ranking and Mr. Silver the address of the residence at which Mr. Best is residing on or before noon on Monday, November 19, 2012. Mr. Ranking and Mr. Silver shall keep the address and telephone number confidential and will use the information *only* for the ~~sole~~ purpose of conducting this present litigation.

bring any motion to strike the application

- 4. AND THIS COURT ORDERS that Mr. Best will promptly notify Messrs. Ranking and Silver of any change in his address or telephone number;
- 5. AND THIS COURT ORDERS that Messrs. Ranking and Silver on behalf of their respective clients may file Notices of Appearance without this step being viewed as an attornment to this jurisdiction. They may also on behalf of their clients, ~~file motions in relation to this proceeding~~ without such step being considered a fresh step in the proceeding;
- 6. AND THIS COURT ORDERS and directs that the order staying the execution of the warrant shall be amended to further provide that:
 - a. Mr. Best shall surrender his Canadian passport or any other passport to Mr. Brian Greenspan and Mr. Greenspan shall retain the passport until further Order of the Court. The passport is to be surrendered to Mr. Greenspan on or before Monday, November 19, 2012 at 12:00 noon, ~~and~~
 - b. Mr. Best shall present himself at the Durham Regional Police Station, 77 Center Street, Oshawa, every 1st and 3rd Monday of the month to confirm his current address and telephone number.
- 7. AND THIS COURT ORDERS that the cross-examination of the Applicant on his affidavit ^{is set} for January 11, 2013, ~~on notice respecting location and time~~ ^{material};
- 8. AND THIS COURT ORDERS that this Application ~~will be~~ ^{is also} adjourned to January 25, 2012, at 9:30 a.m. to be spoken to ^{in relation to setting a date for the hearing of the application} ~~of that time~~;
- 9. AND THIS COURT FURTHER ORDERS that costs ^{of filing} are reserved to the hearing of the application.

The Honourable Mr. Justice Shaughnessy

Approved as to form and content, as amended
This 22nd day of November, 2012
per: Cassels, Brock, Blackwell, LLP per: [Signature]
Lawyers for Kingsland Estates Limited and
as agent for G. Ranking, Lawyer for
Pine Watermark Corp. East Caribbean Firm