

No. S084215
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

LAW SOCIETY OF BRITISH COLUMBIA

PETITIONER

AND:

ROBERT HART

RESPONDENT

CONSENT ORDER

BEFORE THE HONOURABLE) **FRIDAY, THE 10TH DAY OF**
MARATI JUSTICE)
MURRISON) **OCTOBER, 2008**

THE PETITION of the Petitioner Law Society of British Columbia (the “**Law Society**”) coming on for hearing at Vancouver, British Columbia, this day; and on hearing Kimberly S. Campbell, Esq., counsel to the Law Society, and no one appearing on behalf of the Respondent Robert Hart; and on reading the Affidavit (#1) of Jeffrey P. Scouten, Esq., sworn March 4, 2008, the Affidavit #1 of William D. Riley, Esq., sworn April 29, 2008, the Affidavits #1 and #2 of Christopher B. Doll, Esq., sworn April 29 and June 8, 2008, respectively, the Affidavit #1 of Jennifer Harry sworn May 20, 2008, the Affidavits #1 and 2 of Lori DiVenere sworn June 10 and October 8, 2008, respectively, and the Affidavit #1 of Carmel Wiseman sworn June 11, 2008 and filed; **AND BY CONSENT OF THE RESPONDENT:**

THIS COURT ORDERS that:

1. The Respondent be and is hereby declared to have engaged in the unauthorized practice of law contrary to s. 15 of the Legal Profession Act, S.B.C. 1998, Chapter 9, and amendments thereto (the “LPA”);

2. Until such time as he is a member in good standing of the Law Society, the Respondent be and is hereby enjoined from:
 - (a) appearing as counsel, advocate, agent, and/or power of attorney;

 - (b) drawing, revising, or settling
 - (i) a petition, memorandum, notice of articles, or articles under the Business Corporations Act, or an application, statement, affidavit, minute, resolution, by-law or other document relating to the incorporation, registration, organization, reorganization, dissolution or winding up of a corporate body;

 - (ii) a document for use in a proceeding, judicial or extrajudicial;

 - (iii) a will, deed of settlement, trust deed, power of attorney or a document relating to a probate or letters of administration or the estate of a deceased person;

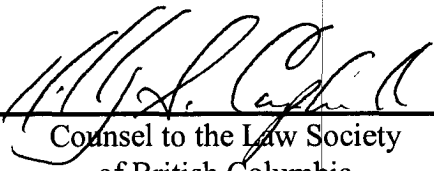
- (iv) a document relating in any way to a proceeding under a statute of Canada or British Columbia; or
 - (v) an instrument relating to real or personal estate that is intended, permitted, or required to be registered, recorded, or filed in a registry or other public office;
- (c) doing an act or negotiating in any way for the settlement of or settling a claim or demand for damages;
- (d) agreeing to place at the disposal of another person the services of a lawyer;
- (e) giving legal advice;
- (f) making an offer to do anything referred to in items (a) to (e) above herein; and/or
- (g) representing that he is qualified or entitled to provide to any party other than himself any or all of the legal services referred to in items (a) to (e) above herein, for or in the expectation of a fee, gain, and/or reward, whether direct or indirect, from any party for whom such acts are performed;
3. Within 10 calendar days of pronouncement of the Order sought herein, the Respondent forthwith advise the counsel to the Law Society of any proceeding or other legal matter in

which he is involved in any manner whatsoever as of the time of pronouncement of the said Order; and

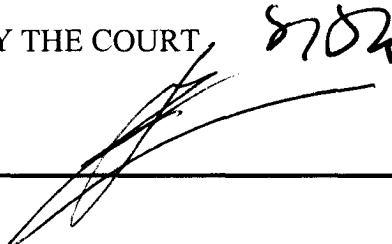
4. Without limiting the generality of any of the foregoing, the declarations, injunctions, and directions set forth in Paragraphs 1 through 3 above herein apply specifically to any and all estates, matters, and/or proceedings under and/or relating to the Bankruptcy and Insolvency Act, R.S.C., 1985, Chapter B-3, and amendments thereto (the “BIA”), including but not limited to the following:
 - (a) appearing as counsel, advocate, agent, and/or power of attorney;
 - (b) appearing in his capacity as an Inspector of any bankruptcy estate, save and except only for those circumstances in which the BIA expressly authorizes such an appearance by an individual Inspector;
 - (c) examining any person, whether pursuant to s. 163 of the BIA or otherwise;
 - (d) preparing and/or issuing any Demand for Production and Delivery of Documents or any similar document, whether pursuant to s. 164 of the BIA or otherwise;
 - (e) preparing and/or issuing any demand for payment of a claim;
 - (f) preparing any Proof of Claim or similar document in and/or in relation to any bankruptcy estate, save and except only in relation to claims held and advanced by him personally in any such estate;

- (g) doing an act or negotiating in any way for the settlement of or settling a claim in and/or relation to any bankruptcy estate; and
 - (h) preparing and/or filing any Notice of Motion, Affidavit, or other application for relief.
5. The Law Society be and is hereby awarded costs and disbursements in the total amount of \$1,000.00.
6. The Respondent's approval as to form of this Order be and the same is hereby dispensed with.

APPROVED AS TO FORM:



Counsel to the Law Society
of British Columbia

BY THE COURT, *8702*


Registrar