



No. L052318
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

THE LAW SOCIETY OF BRITISH COLUMBIA

PETITIONER

AND:

R. CHARLES BRYFOGLE
personally and doing business as ICU CONSULTANTS

RESPONDENT

ORDER MADE AFTER APPLICATION

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BEFORE))
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THE HONOURABLE MADAM
JUSTICE BRUCE

Tuesday, the 17th day
of January, 2012

ON THE APPLICATION of the Petitioner, the Law Society of British Columbia, dated the 5th day of May 2011, coming on for hearing at Vancouver, British Columbia on the 28th, 29th and 30th days of November 2011, and on hearing Brent B Olthuis and Michael Kleisinger, counsel for the Petitioner, and the Respondent R Charles Bryfogle in person, and on reading the materials, AND ON JUDGMENT BEING RESERVED TO THIS DATE:

THIS COURT ORDERS that:

1. The Respondent be held in contempt of the Order of Mr Justice Groberman, pronounced in these proceedings on the 9th day of June 2006 and entered the 19th day of June 2006, for failing as required by said Order to notify General Counsel of the Law Society:
 - a. of his involvement in *Holland v James*, Supreme Court of British Columbia, Penticton Registry No 30011, *Holland v Her Majesty the Queen*, Supreme Court of

British Columbia, Williams Lake Registry No 07-16199, *Holland v Marshall*, Supreme Court of British Columbia, Penticton Registry No 26039 and Court of Appeal for British Columbia, Vancouver Registry Nos CA034582, CA035819, CA035990 and CA036649, and *Bryfogle v Bryfogle*, Supreme Court of British Columbia, Prince George Registry No 1036556; and


- b. of his creation of a trust agreement dated the 24th day of October 2007, titled "Declaration of Trust, Jonathon David Holland Trust (2007), A Contractual Fiduciary Trust".
2. The Respondent be bound to a Recognizance in the amount of \$5 000, without deposit or surety, in the form attached as "Schedule A" to this Order, for a period of one year from the date of this Order, the conditions of the recognizance being that the Respondent:
- a. shall keep the peace and be of good behaviour;
 - b. shall report to a probation officer at The Moose Hall, 272 Highway 20, Bella Coola, British Columbia on the 18th day of January 2012, and thereafter shall report as directed by his probation officer, but no less frequently than once per week by telephone;
 - c. shall provide his probation officer with his current address and telephone number and shall forthwith advise his probation officer of any changes in his address or telephone number;
 - d. shall have no communications, directly or indirectly, with Zsuzsanna Holland concerning any proceedings that she currently has, or in the future may have, in any court in the Province of British Columbia;
 - e. shall provide his probation officer with a copy of the within entered Order on his first day of reporting or within 48 hours of receiving the same from counsel for the Petitioner, whichever occurs first, and shall also provide his probation officer on his first day of reporting with a copy of the aforementioned Order of Mr Justice Groberman; and

- f. shall not enter any courthouse or file any document in any court registry in the Province of British Columbia, except:
- i. if he is charged with an offence and must attend court for matters related to, or file a document in connection with, that offence, or
 - ii. if he has the prior written permission of his probation officer to attend court or file the document,
- as the case may be.
3. Should the Respondent fail to comply with the terms of the said Recognizance in any respect, the Petitioner shall be at liberty to apply to Court for such further order or relief as the Court may deem meet.
4. The 4th paragraph of the aforementioned Order of Mr Justice Groberman be amended so that it reads:

THE COURT FURTHER ORDERS that the Respondent be required to inform the Unauthorized Practice Committee of the Law Society of British Columbia of any proceeding or legal matter in which he is involved in any manner whatsoever, other than representing himself as an individual party to a proceeding acting without counsel solely on his own behalf;

5. Approval in writing as to the form of this Order by the Respondent is hereby dispensed with; and
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6. The Petitioner is entitled to its costs of the application as special costs.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER:



Counsel for the Petitioner,
the Law Society of British Columbia
Brent B Olthuis

By the Court



Registrar



SCHEDULE "A"

RECOGNIZANCE

Court File No. L052318
Vancouver Registry

WHEREAS R. Charles Bryfogle, hereinafter called the contemnor, has been adjudged guilty of civil contempt;

AND WHEREAS the contemnor is bound to this Recognizance in the amount of \$5 000, without deposit or surety, for a period of one year, running from the 17th day of January 2012:

NOW, THEREFORE, the conditions of this Recognizance are that:

1. the contemnor will keep the peace and be of good behaviour
2. the contemnor will report to a probation officer at The Moose Hall, 272 Highway 20, Bella Coola, British Columbia on the 18th day of January 2012, and will thereafter report as directed by his probation officer, but at least once each week by telephone;
3. the contemnor will provide his probation officer with his current address and telephone number and will forthwith advise his probation officer of any changes in respect of the same;
4. the contemnor will have no communications, directly or indirectly, with Zsuzsanna Holland concerning any of the proceedings that she currently has, or in the future may have, in any court in the Province of British Columbia;
5. the contemnor will provide his probation officer with a copy of the entered Order of Madam Justice Bruce, pronounced the 17th day of January 2012, on his first day of reporting or within 48 hours of receiving the same from counsel for the Law Society, whichever occurs first, and shall also provide his probation officer on his first day of reporting with a copy of the Order of Mr Justice Groberman, in

Law Society of British Columbia v Bryfogle, pronounced the 9th day of June 2006;
and

6. the contemnor shall not enter any courthouse or file any document in any court registry in the Province of British Columbia, except:
 - a. if he is charged with an offence and must attend court for matters related to, or file a document in connection with, that offence, or
 - b. if he has the prior written permission of his probation officer to attend court or file the document,

as the case may be.

I have read or have had read to me and understand the six (6) conditions of this Recognizance.

Signed by my hand, this ___ day of _____, 2012, in _____, British Columbia.

R Charles Bryfogle

Witness (handwrite name below)