



No. S-161878
Vancouver Registry

In the Supreme Court of British Columbia

Between:

THE LAW SOCIETY OF BRITISH COLUMBIA

Petitioner

And:

JOHN FREDERICK CARTEN

Respondent

ORDER MADE AFTER APPLICATION

BEFORE } THE HONOURABLE JUSTICE } 1/DECEMBER/2016
 } R.W. JENKINS }
 }

ON THE APPLICATION of the petitioner, the Law Society of British Columbia (the "Law Society"), dated February 25, 2016, coming on for hearing at Vancouver, British Columbia, on November 28 to 30 and December 1, 2016, and on hearing Angela R. Westmacott, QC, counsel for the petitioner, Peter Ameerli and Eva Ross, counsel for the Attorney General of British Columbia, and John Frederick Carten, acting on his own behalf, and with judgment being reserved to this date:

THIS COURT ORDERS that:

1. The Respondent, John Frederick Carten, until such time as he becomes a member in good standing of the Law Society, shall be permanently prohibited and enjoined from engaging in the practice of law as defined in section 1 of the *Legal Profession Act*, S.B.C. 1998, c. 9, including:
 - (a) appearing as counsel or advocate;

- (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, bylaw 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 a grant 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,
 - (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 paragraphs (a) to (e); and
- (g) making a representation that he is qualified or entitled to do anything referred to in paragraphs (a) to (e)

for or in the expectation of a fee, gain or reward, direct or indirect, from the person for whom the acts are performed.

2. John Frederick Carten, until such time as he becomes a member in good standing of the Law Society, shall be permanently prohibited and enjoined from:

- a. representing himself as a lawyer, counsel or in any other manner that connotes that he is a member of the Law Society or otherwise qualified or entitled to engage in the practice of law; and
- b. commencing, prosecuting or defending a proceeding in any court, regardless of whether he charges a fee, except as an individual party to a proceeding, acting without counsel, solely on his own behalf.

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3. ~~The Law Society is awarded its costs.~~ ✓

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~~THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED NOTED ABOVE AS BEING BY CONSENT:~~

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AWestmacott

Signature of Angela R. Westmacott, QC,
Lawyer for the Petitioner

[Large handwritten signature]

[Handwritten signature]

Signature of Peter Ameerali,
Lawyer for the Attorney General of
British Columbia

[Handwritten signature]

Signature of John Frederick Carten,
Respondent

By the Court

Registrar

[Handwritten signature]