



Court File No. CV-14-10439-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE – COMMERCIAL LIST**

**THE HONOURABLE
THOMAS J. MCEWEN**

**WEDNESDAY THE 5TH DAY
OF FEBRUARY, 2014**

IN THE MATTER OF AN INTENDED PROCEEDING

BETWEEN:

SOPACOM C3M CORPORATION

Applicant/Moving Party

- and -

ARNAUD LELOUVIER

Respondent/Responding Party

ORDER

NOTICE

If you, the Responding Party, disobey this order ("Order") you may be held to be in contempt of court and may be imprisoned, fined or have your assets seized. You are entitled to apply on at least twenty-four (24) hours notice to the Moving Party, for an order granting you sufficient funds for ordinary living expenses and legal advice and representation.

Any other person who knows of the Order and does anything which helps or permits the Responding Party to breach the terms of the Order may also be held to be in contempt of court and may be imprisoned, fined or have their assets seized.

THIS MOTION, made without notice by the Moving Party, SOPACOM C3M Corporation ("SOPACOM"), for an interim Order in the form of a *Mareva* injunction restraining the Responding Party, Arnaud Lelouvier, from dissipating his assets and other relief, was heard this day at Toronto.

ON READING the Affidavits of Christele Lelouvier Marpaud and Christian Dargham sworn January 16, 2014, on hearing the submissions of counsel for SOPACOM, and on

noting the undertaking of SOPACOM to abide by any Order this Court may make concerning damages arising from the granting and enforcement of this Order,

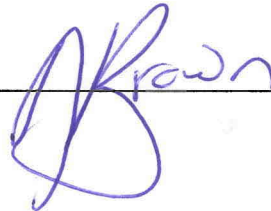
THIS COURT ORDERS:

- (a) That Arnaud Lelouvier, his employees, agents, assigns or anyone else acting on his behalf or in conjunction with him with notice of the Order, and any and all persons or financial institution (including any bank, credit union, trust company, custodian or stock broker), person or entity served with or notified of the Order (collectively referred to as the "Banks"), be restrained from directly or indirectly, by any means whatsoever, Dealing with any asset of any kind ("Asset") of the Respondent situated in Canada. "Dealing" shall include:
 - (i) Selling, removing, dissipating, alienating, transferring, assigning, encumbering or further encumbering, concealing, redirecting, releasing or otherwise similarly dealing with any Asset, wherever situated in Canada including but not limited to the assets and accounts listed in Schedule "A" herein;
 - (ii) Instructing, requesting, counselling, demanding, or encouraging any other person or persons to do so; and
 - (iii) In any other way facilitating, assisting in, aiding, abetting, or participating in any acts the effect of which may affect any action prohibited in (i) or (ii) above;
- (b) That paragraph (a) applies to all of Arnaud Lelouvier's Assets wherever situated in Canada whether or not they are in his own name and whether they are solely or jointly owned. For the purpose of this order, Arnaud Lelouvier's assets include any asset which he has the power, directly or indirectly, to dispose of or deal with as if it were his own. Arnaud Lelouvier is to be regarded as having such power if a third party holds or controls the assets in accordance with his direct or indirect instructions;

- (c) That if the total value free of charges or other securities of Arnaud Lelouvier's Assets in Canada exceeds the Canadian dollar value of 4,664,964.61 Euros, Arnaud Lelouvier may sell, remove, dissipate, alienate, transfer, assign, encumber, or similarly deal with them so long as the total unencumbered value of his Assets in Canada remains above the Canadian dollar value of 4,664,964.61 Euros;
- (d) That the Banks listed in Schedule "A" herein and any other Banks, wherever situated in Canada, forthwith freeze and prevent any Dealing with any Asset of Arnaud Lelouvier held in or through at any branch, office or location or otherwise held for the credit of, or on behalf of, Arnaud Lelouvier in Canada, until further Order of the Court, including but not in any way limited to the accounts or branches listed in Schedule "A" herein;
- (e) That the Banks forthwith disclose and deliver up to SOPACOM copies of any and all records held by the Banks concerning Arnaud Lelouvier's Assets, including the existence, nature, value and specific location of any Asset, wherever situated in Canada, held for the credit of or on behalf of Arnaud Lelouvier by the Banks;
- (f) That the Banks not disclose to Arnaud Lelouvier or any other person reasonably likely to advise or inform Arnaud Lelouvier, directly or indirectly, that the Order has been made or that information and documentation will be or has been provided to SOPACOM;
- (g) That nothing in this Order shall affect any properly registered security or other interest of the Banks which existed prior to the date of this Order;
- (h) That the Court file relating to this proceeding be sealed until Arnaud Lelouvier has been served with the Order, the Motion Record and Factum filed to obtain this Order, provided that upon written request from a Bank that has been served with the Order, SOPACOM shall provide to that Bank a copy of the Motion Record and Factum filed to obtain the Order;

- (i) That the Order may be served upon Arnaud Lelouvier by delivering via personal service a copy of the Order, the Motion Record and Factum filed to obtain the Order to Arnaud Lelouvier, and that service will be effective immediately upon such method of personal service, or to any lawyer on the record at the time for Arnaud Lelouvier in court proceedings in France, and that service will be deemed effective five (5) days after such method of substitutional service has been completed;
- (j) That SOPACOM is granted leave to apply from time to time to the Judge granting the Order, or any other judge of this Court, for further relief, directions, assistance, clarifications and orders, including orders in relation to any breach of the Order, and such motions may be brought without notice prior to (a) service under the Order on Arnaud Lelouvier or the Banks, and (b) in the case of Arnaud Lelouvier, of entry by an Ontario lawyer of a notice of appearance in this proceeding on behalf of him;
- (k) That the time for filing the materials for this motion be abridged or extended as necessary;
- (l) That Arnaud Lelouvier may apply for an order, on at least twenty-four (24) hours notice to SOPACOM, specifying the amount of funds which he is entitled to spend on ordinary living expenses and legal advice and representation;
- (m) That this Order will cease to have effect if Arnaud Lelouvier provides security by paying the sum of the Canadian dollar value of 4,664,964.61 Euros into Court, and the Accountant of the Superior Court of Justice is hereby directed to accept such payment;
- (n) That anyone served with or notified of this Order including, but not limited to, the Banks listed in Schedule "A" hereto, may apply to the Court at any time to vary or discharge this order, on four (4) days notice to SOPACOM;

- (o) That SOPACOM shall apply for an extension of this Order within ten (10) days hereof, failing which this Order will terminate.
- (p) That any extension of this Order shall be conditional upon SOPACOM having filed further evidence relating to its ability to satisfy the undertaking as to the damages.



Natasha Brown
Registrar

ENTERED AT / INSCRIT A TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO.:

FEB 6 - 2014



Schedule "A"

- Property with the Property identification Number 24802-0149(LT), municipally known as 1009 Lakeshore Road East, Oakville, Ontario, Canada.
- All accounts at HSBC Bank Canada in the name of Arnaud Lelouvier including HSBC Premier Account #850-859751-150 and HSBC High Interest Savings Account #850-859751-203.
- All accounts at the Toronto-Dominion Bank in the name of Arnaud Lelouvier, including, but not limited to, accounts held at Toronto-Dominion Bank branch located at 4720 Tahoe Blvd., 6th Floor, Creekside Credit Administration Services, Mississauga, Ontario, L4W 5P2, Chargor Client File Number of 91705, and Chargee Client File Number of 063/230911.

SOPACOM C3M CORPORATION and ARNAUD LELOUVIER
Applicant/Moving Party Respondent/Responding Party

Court File No. CV-14-10439-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE –
COMMERCIAL LIST

Proceeding commenced at **TORONTO**

ORDER

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