

**PROVINCIAL COURT
PROVINCE OF MANITOBA**

CANADA) IN THE MATTER OF AN APPLICATION
PROVINCE OF MANITOBA) PURSUANT TO SECTION 487.3 OF THE
CITY OF WINNIPEG) CRIMINAL CODE OF CANADA FOR AN
) ORDER PROHIBITING ACCESS TO AND
) THE DISCLOSURE OF ANY INFORMATION
) RELATING TO THE ISSUANCE OF A
) PRODUCTION ORDER FOR DOCUMENTS

BEFORE A JUDICIAL JUSTICE OF
THE PEACE /JUDGE 
H. KARR
Judicial Justice of the Peace
and for the Province of Manitoba
in and for the Province of Manitoba)
LAW COURTS BUILDING)
WINNIPEG, MANITOBA)
ON THE _____
DAY OF JANUARY A.D. 2018

SEALING ORDER

WHEREAS on the above date, Production Order for Documents was issued by the Judicial Justice of the Peace / Judge H. R. Rupprecht, Judicial Justice of the Peace
Provincial Court of Manitoba of the Provincial Court of Manitoba, based upon the sworn Information of Christopher Blain, a member of the Winnipeg Police Service.

AND UPON being satisfied that the ends of justice would be subverted by the disclosure of any information used to obtain the said production order because the disclosure of the information would

- Compromise the identity of a confidential informant;
- Compromise the nature and extent of an ongoing investigation;
- Endanger a person engaged in particular intelligence-gathering techniques and thereby prejudice that person;
- Reveal a particular intelligence-gathering technique and thereby prejudice future investigations in which similar technique would be used;
- Prejudice the interest of an innocent person,
- Other sufficient reason.

OR

The information might be used for an improper purpose:

AND UPON IT APPEARING THAT the grounds identified above outweigh in importance access to the Information:

IT IS HEREBY ORDERED that the Information to Obtain said Production Order for Documents and Appendix "A" filed in support thereof shall be sealed and that access to this information shall be prohibited;

AND IT IS HEREBY FURTHER ORDERED that all documents relating to the application for this Order, excepting this said Order be sealed in a separate packet and that access to and the disclosure of any information relating to the said documents in this matter be prohibited subject to the terms and conditions set out below;

AND IT IS HEREBY FURTHER ORDERED that the Clerk of the Court or its designate for the purpose, keep the packets that have been ordered sealed by me in the custody of the Court in a place to which the public has no access and the contents thereof are not to be disclosed to any member of the public or any interested party until **January 8, 2019** except on further Order by me or by another Judge of this Court or a court of competent jurisdiction.

AND IT IS HEREBY FURTHER ORDERED that in the event of a request made by Crown Counsel, the Crown shall be provided with a copy of the sealed materials and the Crown shall edit for purposes of disclosure a copy of the Information to a Obtain a Production Order For Documents and Appendix "A" filed in support thereof, deleting any information that would:

- a) Compromise the identity of a confidential informant;
- b) Compromise the nature and extent of an ongoing investigation;
- c) Endanger a person engaged in particular intelligence-gather techniques and thereby prejudice that person;
- d) Reveal a particular intelligence-gather techniques and thereby prejudice future investigations in which similar techniques would be used, or;
- e) Prejudice the interests of innocent persons.

AND IT IS HEREBY FURTHER ORDERED that the Crown shall disclose the edited copy of the Information to Obtain a Search Warrant to Counsel for an accused or an accused, and file an edited copy of the Information to Obtain a Search Warrant with the Court to be retained on the outside of the sealed packet to be viewed by anyone seeking access to it.

FOR GREATER CERTAINTY an application to either terminate or to vary any of the terms and conditions of this Order may be made to me or to any Judge of the Provincial Court of Manitoba or court of competent jurisdiction upon filing a Notice of Motion and supporting Affidavit giving three clear days written notice of the Application to both the affiant and to the Attorney General of Canada, or to the Attorney General of Manitoba. The notice to the Attorney General of Canada is to be served on the Director, Federal Prosecutions Service, Winnipeg Regional Office or his or her designate. The notice to the Attorney General of Manitoba is to be served on the Director of Public Prosecutions, Winnipeg, or his or her designate.

DATED at the City of Winnipeg, in the Province of Manitoba, this 8th day of January, 2018.



H. KARR
Judicial Justice of the Peace
in and for the Province of Manitoba

A Judicial Justice or a Provincial Court
Judge in and for the Province of Manitoba