

Court of Appeal File No. CA39124

COURT OF APPEAL

BETWEEN:

OLIVIA PRATTEN

Respondent/
Appellant on Cross-Appeal
(Plaintiff)

AND:

ATTORNEY GENERAL OF BRITISH COLUMBIA

Appellant/
Respondent on Cross-Appeal
(Defendant)

AND:

COLLEGE OF PHYSICIANS AND SURGEONS OF BRITISH COLUMBIA

(Defendant)

ORDER

BEFORE:

The Honourable Madam Justice Saunders
The Honourable Madam Justice Levine
The Honourable Mr. Justice Frankel

Vancouver, British Columbia, November 27, 2012

THE APPEAL from the Supreme Court of British Columbia from the Order of the Honourable Madam Justice Adair on May 19, 2011, coming on for hearing on February 14 and 15, 2012; AND ON HEARING Leah Greathead and Bryant Mackay, counsel for the Appellant/Respondent on cross-appeal, the Attorney General of British Columbia and Joseph J. Arvay, Q.C., Alison M. Latimer, and Sean Hern, counsel for the Respondent/Appellant on cross-appeal, Olivia Pratten; AND ON READING the materials filed herein, AND ON JUDGMENT BEING RESERVED TO THIS DATE;

A handwritten signature in black ink, appearing to be "M. P.", is located in the bottom right corner of the page.

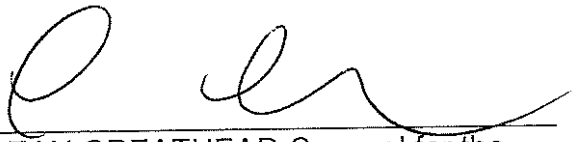
THIS COURT ORDERS that the appeal of the Attorney General of British Columbia be allowed and that the cross-appeal of Ms. Pratten be dismissed.

THIS COURT FURTHER ORDERS that Madam Justice Adair's formal order of May 19, 2011 (entered February 14, 2012) be set aside.

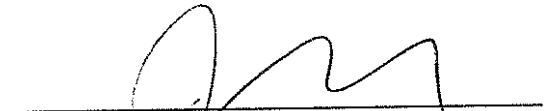
THIS COURT FURTHER ORDERS that the Attorney General of British Columbia, (Appellant, Respondent on Cross Appeal) is entitled to its costs of the appeal and cross-appeal from Ms. Pratten the (Respondent, Appellant on cross-appeal).

APPROVED AS TO FORM:

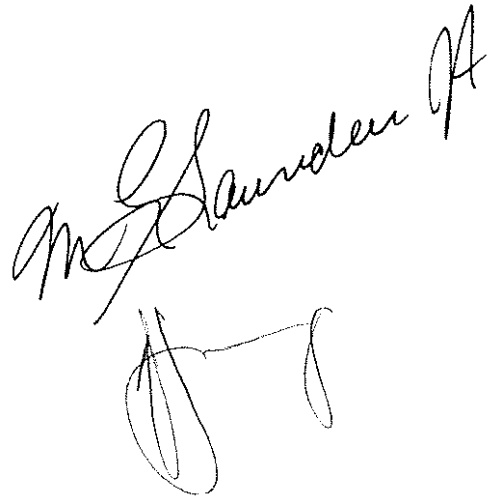
BY THE COURT



LEAH GREATHEAD Counsel for the
Appellant/Respondent on cross-appeal
The Attorney General of British Columbia



JOSEPH J. ARVAY, Q.C.
Counsel for the Respondent/Appellant
on cross-appeal, Olivia Pratten



ENTERED

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