

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE MR.)
JUSTICE T. D. MARSHALL) THE 29th DAY OF
MAY, 2006

BETWEEN:

HENCO INDUSTRIES LIMITED

Applicant

And

HAUDENOSAUNEE SIX NATIONS CONFEDERACY COUNCIL, JANIE
JAMIESON, DAWN SMITH, or any agent or person acting under their instructions,
JOHN DOE, JANE DOE and other persons unknown

Respondents

Court File No.: 93/06

BETWEEN:

RAILINK CANADA LTD. carrying on business as the
SOUTHERN ONTARIO RAILWAY

Plaintiff

And

HAUDENOSAUNEE CONFEDERACY OF MOHAWK, SENECA, CAYUGA, ONONDAGA,
ONEIDA, TUSCARORA NATIONS; SIX NATIONS OF THE GRAND RIVER BAND OF INDIANS;
CLYDE POWLESS; JAQUELINE HOUSE; HAZEL HILL; DAWN SMITH; SEAN MT. PLEASANT;
WES HILL; JANE DOE; JOHN DOE; and PERSONS UNKNOWN

Respondents

ORDER

THIS COURT has called this special sitting – *ex mero motu* – or if you like – on its own
warrant. The reason for this unusual step is because there are injunctive and other orders of this
court that remain outstanding.

THE SUPERIOR COURT OF JUSTICE has the ultimate responsibility to ensure that peace in the community is maintained under the Rule of Law – hence this Court calls the parties in order to further resolution of these matters. Because of this:

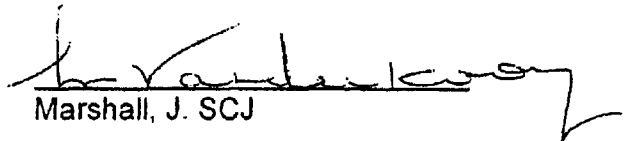
THIS COURT DIRECTS Thursday next, June 1st, 2006 at 11 A.M. for a hearing of submissions on this matter.

THIS COURT DIRECTS that the following appear either by counsel or in person before the Superior Court of Justice at Cayuga, 55 Munsee Street.

1. The Commissioner of the Ontario Provincial Police
2. The Attorney General for Ontario
3. Counsel for the Henning brothers who initiated the first Injunction in this matter
4. The firm of Borden Ladner in Ottawa, duly appointed *amicus curia* in these matters
5. The Six Nations elected council and the Confederacy or their counsel. These latter, though served, have chosen not to respond to the Jurisdiction of this Court.
6. Railink Canada Ltd., carrying on business as the Southern Ontario Railway – litigant in the 2nd extant Injunction.
7. The County of Haldimand or its representative.
8. Notice also should be given to the Haldimand Law Society. They have an interest in the Rule of Law in this County and may wish to seek status before the Court.

THIS COURT DIRECTS the Clerk to apprise these individuals and organizations today and failing their undertaking to appear – to serve them with the Direction of the Court.

AGAIN, the time is on Thursday, June 1st, 2006 at 11 A.M. in this Courtroom.


Marshall, J. SCJ

2006

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May 29 2006

M.V.

This is Exhibit "Q" referred to in the
affidavit of JAMES KENDIK,
sworn before me this ____ day
of _____, 2006

A Commissioner, etc.

This is Exhibit "R" referred to in the
affidavit of JAMES KENDIK,
sworn before me this ____ day
of _____, 2006

A Commissioner, etc.

Court of Appeal File No.: _____

Court File No.: 48/2006

HENCO INDUSTRIES LIMITED

Applicant

-and-

HAUDENOSAUNEE SIX NATIONS CONFEDERACY COUNCIL, et al.

Respondents

Court File No: 93/06

**RAILINK CANADA LTD. carrying on Business as
the SOUTHERN ONTARIO RAILWAY**

Plaintiff

-and-

**HAUDENOSAUNEE CONFEDERACY OF MOHAWK, SENECA,
CAYUGA, ONONDAGA, ONEIDA, TUSCARORA NATIONS, et al.**

Respondents

COURT OF APPEAL FOR ONTARIO

Proceeding commenced at Cayuga

**SUPPLEMENTARY MOTION RECORD
OF THE RESPONDING PARTY,
THE ATTORNEY GENERAL OF ONTARIO**

ATTORNEY GENERAL OF ONTARIO

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