

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE
JUSTICE D.A. WILSON

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Thursday, the 5th day
of June, 2008

BETWEEN:

THE SUPERINTENDENT OF PRIVATE CAREER COLLEGES

Applicant

-and-

CAFT INTERNATIONAL INC., O/A INDUSTRAIN COLLEGE

Respondents

AND

Court File No. 08-CV-350471 PD1

**ONTARIO
SUPERIOR COURT OF JUSTICE**

AND IN THE MATTER BETWEEN:

THE SUPERINTENDENT OF PRIVATE CAREER COLLEGES

Applicant/Moving Party

-and-

CAFT INTERNATIONAL INC., O/A INDUSTRAIN COLLEGE, GUO FAN HUANG,
PAUL WALTERS, AND DAVID CHADDOCK

Respondents

ORDER

THIS APPLICATION brought by the Applicant, the Superintendent of Private Career Colleges, for an Order granting permanent injunctive relief without costs, was heard this day at the Superior Court of Justice, 393 University Avenue, Toronto, Ontario.

ON READING the Consent of the parties:

1. **THIS COURT ORDERS** that the Respondents, their agents, servants or representatives or their substitutes or anyone acting under their instructions, anyone aiding or assisting the Respondents or anyone having knowledge of the order that may be granted pursuant to this motion or any of them be and the same are hereby prohibited from offering the following vocational programs of CAFT International Inc. o/a Industrain College:

Welding (MIG,TIG, Gas) Welding Workshop Training PLC Certificate Program PLC Programming PLC Programming & Welding PLC Industrial Instrument Mechanic Millwright Millwright and PLC Programming Advanced PLC System Advanced PLC Programming Advanced PLC Programming & Millwright Advanced PLC Programming & Industrial Mechanic Millwright Advanced PLC Programming & Industrial Electrician Automotive Service Technician Automotive Service Technician Hands-on Training CNC Operation Programming Business Administration Windows Network Services Program	Advanced CNC Programming Advanced CNC Programming Certificate Advanced CNC Programming and AutoCad 2D/3D CNC Programming Operating Engineer Plumber and Internship Tool and Die Maker Tool and Die Maker & CNC Programming Industrial Mechanic (Millwright) Gas Technician Gas Fitter Technician Gas Fitter II Gas Fitter Technician and Plumbing Electrician Certificate HVAC HVAC Mechanic Computerized Accounting Electrician Industrial Electrician Refrigeration and Air Condition Mechanic
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2. **THIS COURT ORDERS** that the Respondents, their agents, servants or representatives or their substitutes or anyone acting under their instructions, anyone aiding or assisting the Respondents or anyone having knowledge of the order that may be granted pursuant to this motion or any of them be and the same are hereby prohibited from offering the following vocational programs of the joint venture HVAC Cooperative

Education Program:

Gas Technician 1
Gas Technician 2
Gas Technician 3
Residential Air Conditioning Mechanic
HVAC Sales Training
Special Seminars in the HVAC Field

3. **THIS COURT ORDERS** that the Respondents, their agents, servants or representatives or their substitutes or anyone acting under their instructions, anyone aiding or assisting the Respondents or anyone having knowledge of the order that may be granted pursuant to this motion or any of them be and the same are hereby prohibited, in relation to vocational programs offered by or in conjunction with CAFT International Inc. o/a Industrain College or vocational programs offered by, under or in furtherance of the HVAC Cooperative Education Program, from taking the following steps contrary to the *Private Career Colleges Act, 2005*:

- a. Operating a private career college;
- b. Holding themselves out as the operator of a private career college;
- c. Offering or providing vocational programs for a fee;
- d. Charging or collecting a fee in relation to a vocational program;
- e. Advertising a private career college;
- f. Soliciting another person to enrol as a student in a vocational program;
- g. Obtaining or assisting students in obtaining third party funding for vocational programs; and,
- h. Hindering, obstructing or interfering with the Superintendent or designate conducting an inquiry or examination pursuant to section 38 of the *Private Career Colleges Act, 2005*.

4. **THIS COURT ORDERS** that the Respondents CAFT International Inc. o/a Industrain College and Guo Fan Huang their agents, servants or representatives or their substitutes or anyone acting under their instructions, anyone aiding or assisting them or anyone having knowledge of the order that may be granted pursuant to this motion or any of them be and the same hereby prohibited from contravening section 48(1)(b) of the *Private Career Colleges Act, 2005* through their continued non-compliance with the Superintendent's Order made under subsection 46(1) of the Act and issued on September 17, 2007.

5. **THIS COURT ORDERS** that, for the purposes of clarity, nothing in this Order shall be construed as preventing the Respondents Guo Fan Huang, Paul Walters or David Chaddock from teaching, or holding employment in relation to, vocational programs offered by private career colleges other than CAFT International Inc. o/a Industrain College or HVAC Cooperative Education Program, provided those vocational programs are approved by the Superintendent of Private Career Colleges and those colleges are registered under the *Private Career Colleges Act, 2005*.

6. **THIS COURT ORDERS** that there shall be no costs awarded for this motion.

D.A Wilson J

