

Court File Number CV-22-00683834-00CL

Date: July 12, 2022

Vietnamese Association, Toronto v. Duong, et al.

This matter appeared before me today on an urgent basis.

The Notice of Application was served on/about July 7, 2022. The Application Record was served yesterday. This matter concerns a dispute concerning control of the Applicant.

I have reviewed the Applicant's materials which include a video of a portion of the very fractious AGM.

Without in any way commenting on the ultimate merits it is in disputed that some or all of the current board of directors were not present when a vote took place to elect an "interim board".

It is also not disputed that steps were later taken by some Respondents ostensibly on behalf of the "interim board".

In all of these circumstances a hearing on the merits must be conducted, and the Respondents have an opportunity to retain counsel which they are currently in the process of doing.

It is also equal important that the affairs of the Applicant be managed in a sensible fashion pending the return of their Application to the Court.

I have therefore issued the attached order. I did so after hearing the submissions of the counsel for the Applicant and the individual Respondents who made submissions.

In my view the order strikes a fair and reasonable balance in maintaining the status, but at the same time, putting in place control over expenditures.

The order shall therefore go as per attached order which I have signed.

As I indicated, the matter will return before me on July 26, 2022 @12:30 for scheduling, subject to the availability of the Applicant's counsel.

McEwen J.