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October 18, 2012  
File No.: 259040.00042/14288

**DELIVERED BY COURIER**

David F. Sutherland & Associates  
Barristers & Solicitors  
2000 Ontario Street  
Vancouver, BC V5T 2W7

**Attention: Mr. David F. Sutherland**

Dear Sirs/Mesdames:

**Re: Mainstream Canada, a division of Ewos Canada Ltd. v. Don Staniford et al,  
SCBC Vancouver Registry, Appeal No. CA040316**

Please find enclosed for service upon you our filed Notice of Appeal in the above referenced matter. Kindly acknowledge service by signing and returning a copy of this letter, enclosed.

Yours truly,

**FASKEN MARTINEAU DuMOULIN LLP**



David Wotherspoon

DKW/sml  
Encs.

Delivery of the within referred documents  
admitted this 18<sup>th</sup> day of October  
20...12  
Solicitor for DF Sutherland  
Don Staniford

DM\_VAN/259040-00042/8447705.1

\*Fasken Martineau DuMoulin LLP includes law corporations

VANCOUVER  
OCT 15 2012  
COURT OF APPEAL  
REGISTRY

CA040316

Court of Appeal File No.:  
Supreme Court File No.: S111908  
Supreme Court Registry: Vancouver

**COURT OF APPEAL**

BETWEEN:

MAINSTREAM CANADA, A DIVISION OF EWOS CANADA  
LTD.

APPELLANT  
(PLAINTIFF)

AND:

DON STANIFORD, and the said DON STANIFORD carrying on  
business as THE GLOBAL ALLIANCE AGAINST  
INDUSTRIAL AQUACULTURE

RESPONDENTS  
(DEFENDANTS)

**NOTICE OF APPEAL**

TAKE NOTICE that Mainstream Canada, a Division of EWOS Canada Ltd., hereby appeals to the Court of Appeal for British Columbia from the order of The Honourable Madam Justice Adair of the Supreme Court of British Columbia pronounced the 28th day of September, 2012, at Vancouver, British Columbia.

1. The appeal is from a:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Trial Judgment | <input type="checkbox"/> Summary Trial Judgment |
| <input type="checkbox"/> Order of a Statutory Body | <input type="checkbox"/> Chambers Judgment      |

2. If the appeal is from an appeal under Rule 18-3 or 23-6(8) of the Supreme Court Civil Rules or Rule 18-3 or 22-7(8) of the Supreme Court Family Rules, name the maker of the original decision, direction or order:

3. Please identify which of the following is involved in the appeal:

- |  |  |   |                                       |
|--|--|---|---------------------------------------|
| <input type="checkbox"/> Constitutional/Administrative | <input type="checkbox"/> Civil Procedure             | <input type="checkbox"/> Commercial                               |                                       |
| Family- <input type="checkbox"/> Divorce               | <input type="checkbox"/> <i>Family Relations Act</i> | <input type="checkbox"/> Corollary Relief in a Divorce Proceeding | <input type="checkbox"/> Other Family |
| <input type="checkbox"/> Motor Vehicle Accidents       | <input type="checkbox"/> Municipal Law               | <input type="checkbox"/> Real Property                            |                                       |

Torts

Equity

Wills and Estates

(The Divorce Registry will, as applicable, be notified by the Court of Appeal Registry on filing if the appeal involves divorce, corollary relief in divorce proceeding or matters under the *Family Relations Act*).

AND FURTHER TAKE NOTICE that the Court of Appeal will be moved at the hearing of this Appeal for the following orders:

- (a) An order allowing the appeal and setting aside the order dismissing the Appellant's action;
- (b) An order allowing the Appellant's action against the Defendants;
- (c) An order for a permanent injunction and damages as claimed in the Appellant's Notice of Civil Claim;
- (d) In the alternative, an order remitting the matter to the learned trial judge to determine the Appellant's entitlement to a permanent injunction and damages in light of this Court's decision;
- (e) Costs of the appeal and of proceedings in the court below; and
- (f) Such further or other relief as this Honourable Court deems just.

The trial of this proceeding occupied 20 days.

Dated at Vancouver, British Columbia, this \_\_\_ day of October, 2012.

"Fasken Martineau DuMoulin LLP"  
Solicitor for the Appellant

To the Respondents: Don Staniford, and the said Don Staniford carrying on business as The Global Alliance Against Industrial Aquaculture

And to their Solicitors: David Sutherland and Associates, Barristers and Solicitors, 2000 Ontario Street, Vancouver, B.C. V5T 2W7

This Notice of Appeal is given by Fasken Martineau DuMoulin LLP, whose address for service is 2900 - 550 Burrard Street, Vancouver B.C. V6C 0A3 Telephone: 604 631 3131.  
(Reference: 259040.00032/DKW)

To the Respondent(s):

IF YOU INTEND TO PARTICIPATE in this proceeding, YOU MUST GIVE NOTICE of your intention by filing a form entitled "Notice of Appearance" (Form 2 of the Court of Appeal Rules) in a Court of Appeal registry and serve the notice of appearance on the appellant WITHIN 10 DAYS of receiving this Notice of Appeal.

IF YOU FAIL TO FILE A NOTICE OF APPEARANCE

- (a) you are deemed to take no position on the application, and
- (b) the parties are not obliged to serve you with any further documents related to the application.

The filing registries for the British Columbia Court of Appeal are as follows:

Central Registry:

B.C. Court of Appeal  
Suite 400, 800 Hornby Street  
Vancouver BC V6Z 2C5

Other Registries:

B.C. Court of Appeal  
The Law Courts  
P.O. Box 9248 Stn Prov Govt  
850 Burdett Avenue  
Victoria BC V8W 1B4

B.C. Court of Appeal  
223 – 455 Columbia Street  
Kamloops BC V2C 6K4

Inquiries should be addressed to 604 660 2468

Fax filings: 604 660 1951