

Court File No. 00-CV-186232

**SUPERIOR COURT OF JUSTICE**

THE HONOURABLE

*Mr. Justice Morrison* )

*Mon*, the *10<sup>th</sup>* DAY OF  
MARCH, 2000  
*April*

BETWEEN:

**ROYAL COLLEGE OF DENTAL SURGEONS OF ONTARIO**

**Applicant**

- and -

**MARIO HERVAS**

**Respondent**

**ORDER**

THIS APPLICATION, made by the Applicant for an Order directing the Respondent to comply with the *Regulated Health Professions Act, 1991* and the *Dentistry Act, 1991* and as further particularized in the Notice of Application, was heard this day, at Toronto, Ontario.

ON READING the Application Record and the Consent of the parties, filed,

1. THIS COURT ORDERS that the Respondent, MARIO HERVAS, comply with sections 27, 30, 32 and 33 of the *Regulated Health Professions Act, 1991* and section 9 of the *Dentistry Act, 1991*, and in particular, that the Respondent refrain from:

- a. Using the title "dentist" or "dental surgeon" or a variation or abbreviation or equivalent in another language;
- b. Using the title "doctor" or a variation or abbreviation or equivalent in another language in the course of providing or offering to provide, in Ontario, health care to individuals;
- c. Holding himself out as a person who is qualified to practise in Ontario as a dentist or dental surgeon or in a specialty of dentistry;
- d. Performing any controlled act set out in paragraphs 4.1 to 4.8 of the *Dentistry Act, 1991* or section 27(2) of the *Regulated Health Professions Act, 1991*;
- e. Treating or advising a person with respect to his or her health in circumstances in which it is reasonably foreseeable that serious physical harm may result from the treatment or advice or from an omission from them; and
- f. Designing, constructing, repairing or altering a dental prosthetic, restorative or orthodontic device.

2. THIS COURT ORDERS that there be no costs payable in respect of this application.

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**GOWLING, STRATHY & HENDERSON**  
Barristers and Solicitors  
49th Floor, Commerce Court West  
Toronto, Ontario  
M5L 1J3

**Megan E. Shortreed - LSUC#39279W**  
t: (416) 862-4411  
f: (416) 862-7661

Solicitors for the Applicant