

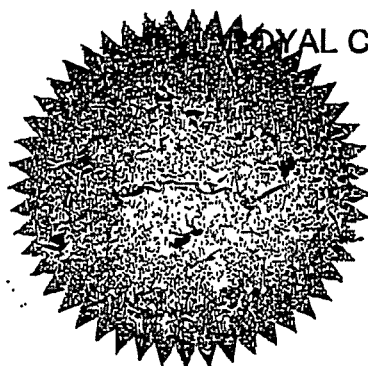
COURT FILE NO. 99-CV-171333

SUPERIOR COURT OF JUSTICE

THE HONOURABLE _____
JUSTICE Mesbur

) TUESDAY, THE 17TH DAY
)
) OF AUGUST, 1999

BETWEEN:



ROYAL COLLEGE OF DENTAL SURGEONS OF ONTARIO

Applicant

- and -

ZYGMUNT KURASZ

Respondent

ORDER

THIS APPLICATION by the Royal College of Dental Surgeons for an interim and final order that the respondent, Zygmunt Kurasz, comply with sections 4 and 9 of the *Dentistry Act* and sections 27, 30 and 33 of the *Regulated Health Professions Act* and, in particular, that Zygmunt Kurasz refrain:

- (1) from using the title "dentist" or a variation or abbreviation or equivalent in another language;
- (2) from 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;

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- (3) from holding himself out as a person who is qualified to practise in Ontario as a dentist or in a specialty of dentistry;
- (4) from performing any controlled acts including:
 - a. performing procedures on tissue below the dermis, below the surface of a mucous membrane, in or below the surfaces of the teeth, including the scaling of teeth;
 - b. administering a substance by injection or inhalation; and
- (5) from 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;
- (6) an order directing Zygmunt Kurasz to deliver to Dr. Fred Eckhaus, Manager of Investigations for the Royal College of Dental Surgeons of Ontario at 6 Crescent Road, 5th Floor, Toronto, Ontario, M4W 1T1, within 15 days of the date of this order all equipment, instruments, supplies or drugs that he uses, has used or can use to perform any dental procedures or to provide any dental treatment; and
- (7) its costs on a solicitor and client basis.

ON READING the application record, the applicant's factum, the order of Mr. Justice Pitt dated June 28, 1999, and upon hearing the submissions of counsel for the Applicant,

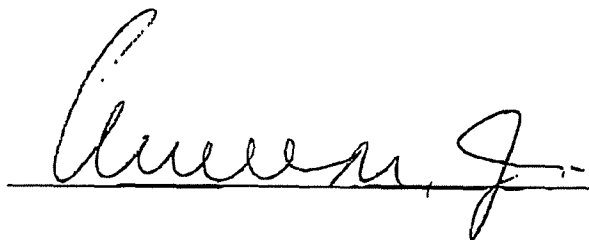
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1. **THIS COURT ORDERS** that the respondent, Zygmunt Kurasz, comply with sections 4 and 9 of the *Dentistry Act* and sections 27, 30 and 33 of the *Regulated Health Professions Act* and, in particular, that Zygmunt Kurasz refrain:
 - (1) from using the title "dentist" or a variation or abbreviation or equivalent in another language;
 - (2) from 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;
 - (3) from holding himself out as a person who is qualified to practise in Ontario as a dentist or in a specialty of dentistry;
 - (4) from performing any controlled acts including:
 - a. performing procedures on tissue below the dermis, below the surface of a mucous membrane, in or below the surfaces of the teeth, including the scaling of teeth;
 - b. administering a substance by injection or inhalation; and
 - (5) from 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.

2. **THIS COURT DIRECTS** Zygmunt Kurasz to deliver to Dr. Fred Eckhaus, Manager of Investigations for the Royal College of Dental Surgeons of Ontario at 6 Crescent Road, 5th Floor, Toronto, Ontario, M4W 1T1, within 15 days of the date

of this order all equipment, instruments, supplies or drugs that he uses, has used or can use to perform any dental procedures or to provide any dental treatment.

3. **THIS COURT ORDERS** that the respondent pay to the applicant its costs on a solicitor and client basis in the amount of \$ 5000^{KL} 207.



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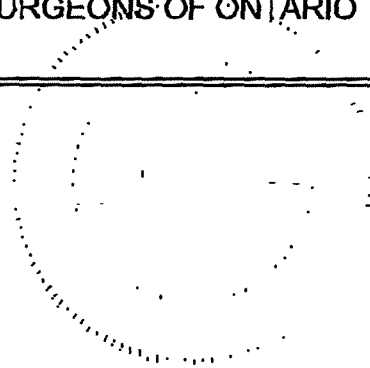
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PER/PAR: *RS*

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ROYAL COLLEGE OF DENTAL SURGEONS OF ONTARIO - and - ZYGMUNT KURASZ

Court File No. 99-CV-171333



SUPERIOR COURT OF JUSTICE

Proceeding commenced at Toronto,
Ontario

ORDER

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08/18/99 16:47 FAX 416 593 7867