



Court File No. CV-24-00004692-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE

JUSTICE KURZ

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WEDNESDAY, THE 11TH DAY OF

FEBRUARY, 2026

BETWEEN

ELECTRICAL SAFETY AUTHORITY

Applicant

and

[REDACTED]

Respondents

JUDGMENT

THIS APPLICATION made by the Applicant, Electrical Safety Authority (the “ESA”) for certain declaratory and injunctive relief was heard this day at the Court House, 491 Steeles Ave E, Milton, ON L9T 1Y7.

ON READING the materials filed, including: (i) the Application Record of the Applicant; the Responding Affidavit of [REDACTED] dated February 21, 2025; (iii) the Reply Affidavit of Indrek Esken dated February 24, 2025; the Reply Affidavit of Shana Hole dated June 18, 2025; and (iv) the Factum of the Applicant; and on hearing the submissions of counsel for all parties;

1. **THIS COURT ORDERS AND DECLARES** that the Respondents have, through a third party or otherwise, made unlawful use of and unlawfully sold, distributed and offered for sale confidential information related to the Master Electrician Licensing Exam administered by the Electrical Safety Authority and materials otherwise comprising the Electrical Safety Authority’s intellectual property.

2. **THIS COURT FURTHER ORDERS** that the Respondents and any and all persons having knowledge of this Order are hereby permanently enjoined and restrained from directly or indirectly, by any means whatsoever, offering for sale, selling or distributing or facilitating the sale, distribution, or

use of confidential information related to the Master Electrician Licensing Exam and materials comprising the Electrical Safety Authority's intellectual property.

3. **THIS COURT FURTHER ORDERS** the Respondents to provide an exhaustive list identifying the name and contact information of any and all individuals to whom the Respondents sold or provided use or access to confidential information related to the Master Electrician Licensing Exam and materials otherwise comprising the Electrical Safety Authority's intellectual property.

4. **THIS COURT FURTHER ORDERS** that exhibits "F", "G", "J" to the Affidavit of Indrek Esken sworn November 12, 2024 and exhibits "A" and "B" to the Affidavit of Kevin Morash sworn October 16, 2024 be and are hereby sealed.

5. **THIS COURT FURTHER ORDERS** that any person affected by this by this Order may move to set aside or vary the terms of this order upon providing five clear days notice, but such motion or proceeding shall not in any way excuse that person or persons from compliance with the terms of this Order.

6. **THE COURT FURTHER ORDERS** that the costs of this Application be fixed in the amount of \$20,000 inclusive of disbursements and taxes, to be paid by the Respondents to the Applicant.

Issued: February 18, 2026



Martin Kurz J.



Applicant

Respondents

	ONTARIO SUPERIOR COURT OF JUSTICE Proceeding commenced at Milton
	ORDER
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