



COURT FILE NUMBER 2303 - 13143
 COURT COURT OF KING'S BENCH OF ALBERTA
 JUDICIAL CENTRE EDMONTON

PLAINTIFF PRIMERICA, INC., PRIMERICA LIFE INSURANCE COMPANY, PRIMERICA FINANCIAL SERVICES LLC, PFSL INVESTMENTS CANADA LTD., and PRIMERICA LIFE INSURANCE COMPANY OF CANADA

DEFENDANT MARCO MOUKHAIBER

DOCUMENT **ORDER**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT **OSLER, HOSKIN & HARCOURT LLP**
 Suite 2700, Brookfield Place
 225 – 6th Avenue SW
 Calgary, AB T2P 1N2

Attention: Tommy Gelbman / Stephanie Clark / Ryan Howes
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 File Number: 1242844

DATE ON WHICH ORDER WAS PRONOUNCED: July 21, 2023

NAME OF JUSTICE WHO MADE THIS ORDER: *RA Graesser*

LOCATION AT WHICH ORDER WAS MADE: Edmonton, Alberta

UPON THE APPLICATION of counsel for the Applicants seeking an Order restraining the Respondent; **AND UPON** reading the Affidavit of Mark Beauchamp sworn July 18, 2023; **AND UPON** hearing counsel for the Applicants; **AND UPON** hearing from the Respondent; **AND UPON** noting the formal undertaking of the Applicants to abide by any Order the Court may make concerning damages arising from the granting and enforcement of this Order; **IT IS HEREBY ORDERED AND DECLARED THAT:**

1. All capitalized terms used in this Order shall have the meaning given to them in the pleadings in this action.

1A Nothing in this Order shall be construed as constituting any determination on the merits of the parties or the tests for interlocutory injunction.

2. The notice period and time for service of this application is abridged and deemed good and sufficient.

3. Service on the Respondent by email is deemed good and sufficient.

4. The Respondent must:

~~(a) deliver a list of all social media accounts and domains which he directly or indirectly controls to the Applicants and the Court;~~ ✓ *MSB*

~~(b) remove and destroy the Primerica Videos and any online content posted by the Respondent reproducing, promoting, or mentioning the Primerica Videos in any way;~~ ✓ *MSB*
PROVIDED that this direction shall be effective as of 12:00 pm on July 24, 2023.

~~(c) discontinue membership in all chat groups and social media platforms in which the Respondent surveils or monitors the activity of Primerica employees and business associates through phony accounts or otherwise;~~ ✓ *MSB*

~~(d) delete and destroy any material in his possession for which Primerica owns the copyright, whether in hard copy, posted to his online accounts, or saved in electronic form; and~~

~~(e) return a sworn Statutory Declaration to the Applicants within ~~five~~ days of the order, in the form attached as Schedule "A" to this Order, attesting to full compliance with the terms of this Order.~~ ✓ *MSB*

5. The Respondent is prohibited from directly or indirectly:

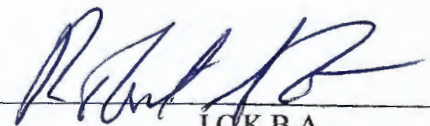
(a) infringing the Applicants' copyright in the Primerica Logo and Primerica Policies pursuant to the *Copyright Act*, including without limitation by creating, posting, sharing and/or streaming any content which infringes the Applicant's copyright by reproducing the Primerica Logo and Primerica Policies, whether in print, electronic form, over the internet, or in any other form or media now known or later devised;

(b) using the Primerica Trademarks in such a manner that is likely to have the effect of depreciating the value of the goodwill attaching to such trademarks contrary to

subsection 22(1) of the *Trademarks Act*, including without limitation through use of the Primerica Trademarks in association with the AlwaysMarco accounts, and any related websites, domain names or social media accounts;

- (c) communicating, publishing, or posting any online or print material reproducing or promoting the Primerica Videos or any part thereof;
- (d) publishing, posting, creating, appearing in, or otherwise participating in any online or print material that are defamatory with respect to Primerica in any way; and
- (e) publishing or posting of any material concerning these proceedings, or cause to be published or posted any material concerning these proceedings, as well as any material (including images) or commentary concerning any participant in these proceedings, including but not restricted to any counsel, Court staff or members of the judiciary, but excluding himself provided that any publication or posting about himself is not connected in any way to these proceedings or is not otherwise subject to any ongoing injunction.

- 6. This Order shall remain in effect until ~~August 31, 2023 or until such time as this Court may adjudicate a summary judgment application on the merits, whichever is earlier.~~ *By further order of this Court. MB*
- 7. Any Party may apply to this Court to vary the terms of this Order *on 2 days notice to the other party. MB*
- 8. The Applicants ~~shall~~ *may* serve this executed Order on YouTube, TikTok, Twitter, Facebook, Instagram, Discord, Patreon, Reddit and Rumble as notice that the Primerica Videos and any online content posted by the Respondent reproducing, promoting, or mentioning the Primerica Videos in any way are ordered to be removed *as being unlawful. MB*
- 9. The costs of this application shall be ~~payable to the Applicants.~~ *in the cause. MB*
- 10. The Respondent's approval of this form of Order is dispensed with under Rule 9.4(2)(c) of the *Alberta Rules of Court*.



J.C.K.B.A.
Grassman J

Schedule "A"
STATUTORY DECLARATION

CANADA)
PROVINCE OF ALBERTA)
TO WIT:)
)
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IN THE MATTER OF Court of King's Bench of Alberta
Action 2301 - _____ between PRIMERICA, INC.,
PRIMERICA LIFE INSURANCE COMPANY,
PRIMERICA FINANCIAL SERVICES LLC, PFSL
INVESTMENTS CANADA LTD., and PRIMERICA LIFE
INSURANCE COMPANY OF CANADA, as Plaintiff, and
MARCO MOUKHAIBER, as Defendant

I, Marco Moukhaiber, DO SOLEMNLY DECLARE THAT:

1. I am the owner and creator of various accounts on YouTube, TikTok, Twitter, Facebook, Instagram, Discord, Patreon, Reddit, and Rumble which I operate under the account name "AlwaysMarco".
2. A complete list of all social media accounts and online websites, domain names or accounts that I control directly or indirectly is attached.
3. I have deleted and taken down the following videos posted under the AlwaysMarco account name in all forms, whether on YouTube, TikTok, Twitter, Facebook, Instagram, Discord, Patreon, Reddit, Rumble, or otherwise (the "Primerica Videos"):

Date	Title	Link
Dec 14, 2021	Debate with Primerica Recruiter Gary Kornegay	youtube.com/watch?v=bjt78qojUXA
Jan 14, 2023	Marco vs Primerica	youtube.com/watch?v=Eh1Fu7DmLGE
Jan 19, 2023	She Lost \$100,000 in Primerica Multi-Level Misery	youtube.com/watch?v=zuO5SfgP0xM
Jan 25, 2023	Infiltration Successful...	youtube.com/watch?v=EzdULG6Jcvg
Jan 30, 2023	17-Year-Old Recruited To Primerica By His DAD Multi-Level Misery	youtube.com/watch?v=cPQpOa5o1Og
Feb 28, 2023	Betting Every Penny On Primerica Multi-Level Misery	youtube.com/watch?v=EAaP6FLCWBk

Date	Title	Link
April 14, 2023	PRIMERICA is threatening to sue me	youtube.com/watch?v=yKGvBPI9Qb8
July 14, 2023	Infiltrating A Pyramid Scheme: Primerica	youtube.com/watch?v=bDvoI-Zh7uA
July 15, 2023	The Many Lies of Mario Arrizon	youtube.com/watch?v=Hww2tl8dJFs
July 19, 2023	Gary Kornegay & Daniel Alonzo's INSANE Interview	https://www.youtube.com/watch?v=2w3s10iEv0I

4. I have deleted and taken down any posts of any kind from all social media accounts or online domains that I control that reproduce all or portions of the Primerica Videos, whether as clips, screenshots, or otherwise, whether on YouTube, TikTok, Twitter, Facebook, Instagram, Discord, Patreon, Reddit, Rumble, or otherwise.
- ✓ 5. ~~I have discontinued membership and access to any and all chat groups and social media platforms in which I surveil or monitor the activity of Primerica employees and business associates, whether through phony accounts, receiving reports of such activity from third parties, or otherwise.~~ ✓ *MSB*
- ✓ 6. ~~I have deleted and destroyed any material in my possession for which Primerica owns the copyright, whether in hard copy, posted to my online accounts, or saved in electronic form.~~ ✓ *MSB*
- ✓ 7. ~~I have received and reviewed a copy of the Order of Justice _____ dated July [21], 2023, and I confirm I have complied, and will continue to comply, with that Order.~~ ✓ *MSB*

AND I make this solemn declaration conscientiously believing it to be true, and knowing it is of the same force and effect as if made under oath.

SWORN BEFORE ME at the _____)
 City/Town of _____)
 in the Province of _____)
 the __ day of July, 2023.)

 A Commissioner for Oaths in and for the Province of Alberta.) Marco Moukhaiber