

CANADA / JUDGMENT

Bilzerian v. Ignite International Brands, Ltd.

2025 BCSC 466

COURT

Supreme Court of British Columbia

DECIDED

11 February 2025

Source: bccourts.ca · Research copy typeset by Esheria. Not court-issued or certified.

2025 BCSC 466 Bilzerian v. Ignite International Brands, Ltd. IN THE SUPREME COURT OF BRITISH COLUMBIA Citation: Bilzerian v. Ignite International Brands, Ltd., 2025 BCSC 466 Date: 20250211 Docket: S245663 Registry: Vancouver Between: Dan Brandon Bilzerian also known as Dan Bilzerian Petitioner And: Ignite International Brands, Ltd., International Investments, Ltd., Gregory Gilpin-Payne, Scott Rohleder, Robin Rodriguez, Thomas Bunker, and Ralph Gilpin-Payne Respondents Before: The Honourable Justice Tammen Oral Reasons for Judgment In Chambers Counsel for the Petitioner: T.R. McDonald (January 17, 2025 only) H.M.E. Sevenoaks (February 11, 2025 only) Counsel for the Respondent, Ignite International Brands, Ltd.: M.D. Shirreff Counsel for the Respondents, International Investments, Ltd., Gregory Gilpin-Payne, Scott Rohleder, Robin Rodriguez, Thomas Bunker, and Ralph Gilpin-Payne : H.A. Mickelson, K.C. A. Dosanjh Place and Date of Hearing: Vancouver, B.C. January 17, 2025, & February 11, 2025 Place and Date of Judgment: Vancouver, B.C. February 11, 2025

- [1] THE COURT: I am going to give brief reasons on the first part of this application now. Before me is an application seeking primarily a declaration that the petitioner, Dan Bilzerian, is in contempt of court for failing to comply with a term of an order made by me on October 30, 2024. The application also seeks ancillary relief in addition to the basic declaration of contempt. At this juncture, I intend only to deal with the declaration that Mr. Bilzerian is in contempt of court.
- [2] Although this is civil contempt of court, the elements of civil contempt must be proved to the criminal standard, that is, beyond a reasonable doubt. In the leading case of *Carey v. Laiken*, 2015 SCC 17, the Supreme Court of Canada set out the essential elements required for proof of civil contempt. Those are as follows:
1. The order alleged to have been breached must state clearly and unequivocally what should and should not be done.
 2. The party alleged to have breached the order must have actual knowledge of the terms of that order.

3. The party allegedly in breach must have intentionally done the act that the order prohibits or intentionally failed to do the act that the order compels.
- [3] In the present case, the term of the order at issue says this: Dan Bilzerian shall return control of and grant access to Ignite's Instagram account (@Ignite) to Ignite, including by providing all user names and passwords to Ignite and approving any necessary account changes to effect the transfer within three days.
- [4] As noted, that order was made by me, along with some other orders, on October 30, 2024.
- [5] For completeness, I will also refer to paragraphs 2, 3, and 4 of that order. They read as follows:
 2. Subject to further order of the court or written permission granted by Dan Bilzerian, Ignite will not post Dan Bilzerian's name, image, or likeness to the Ignite Instagram account.
 3. If the court orders that Dan Bilzerian be reinstated as the sole director of Ignite, on written request of Dan Bilzerian, Ignite will transfer control of Ignite's Instagram account back to Dan Bilzerian within three days of the request.
 4. During the course of this proceeding, all parties have liberty to seek further directions with respect to Ignite's Instagram account.
- [6] That order was made on October 30, 2024, following three days of hearings on October 23 through 25, 2024. There was an initial issue with respect to settling the terms of my order, and counsel appeared back before me by Microsoft Teams on November 8, 2024, in order to settle the terms of the order.
- [7] At that appearance, Mr. Shirreff, counsel for Ignite, noted that Mr. Bilzerian had not yet turned over control of the social media account to the company. Mr. Bilzerian was not present at that hearing but was represented by counsel. I advised Mr. Bilzerian's counsel that he ought to impress upon Mr. Bilzerian the need for compliance and told Mr. Shirreff that if need be, I would hear any other application he wished to bring, as and when he chose to seek relief in the nature that he is now seeking.
- [8] Mr. Bilzerian filed an appeal of the orders I made on October 30, 2024. However, he did not seek a stay of any terms of that order.
- [9] On December 24, 2024, Ignite filed the current application seeking to have Mr. Bilzerian found in contempt. That matter was originally scheduled for one hour, all parties appearing by Microsoft Teams, on January 17, 2025. By that time, Mr. Bilzerian was no longer represented by counsel, but he appeared and represented himself at that hearing.

- [10] Ultimately, I adjourned the hearing of the contempt application to today in order to give Mr. Bilzerian time to file some material, which he had not to that point done, and to potentially bring himself in compliance with the order. I imposed a filing deadline on all parties of 4:00 p.m. February 7, 2025. Mr. Bilzerian did not file any material and, indeed, to date has not filed any material.
- [11] Counsel appeared on his behalf this morning seeking to adjourn the contempt hearing, having been retained near the end of the business day yesterday. I denied that adjournment application and said I would at least proceed with the first part of the contempt hearing today.
- [12] There can be absolutely no doubt that Mr. Bilzerian is in contempt of paragraph 1 of the October 30th, 2024 order. That term of the order clearly states exactly what Mr. Bilzerian was to do and the timeframe within which he was to do it. There is no doubt that Mr. Bilzerian has knowledge of the order and that specific term. Equally, there is no doubt that Mr. Bilzerian has intentionally failed to comply with the order.
- [13] During the course of his submissions to me on both January 17th and today, Mr. Bilzerian has given various reasons for his non-compliance. He has chosen not to swear and file an affidavit, so there is no evidence before me in support of any of those reasons. As I understand it, he has various concerns. One of them appears to be the use of his name, image, and likeness. That, of course, was addressed in paragraph 2 of the order. Mr. Bilzerian says he does not trust those currently running Ignite to abide by that court order. That is not a reason for Mr. Bilzerian to choose not to comply with the obligations imposed on him by the order.
- [14] Mr. Bilzerian still does not accept that he is no longer the sole director of Ignite. Seeking reinstatement as sole director was the primary relief he sought in this petition proceeding. To date, Mr. Bilzerian has not succeeded in persuading a court that he should be reinstated. I do not know what further efforts he intends to take in these courts. He also tells me that he has filed a different action in the State of Nevada, where he lives, seeking to regain control of the company and seeking other relief against the current directors of Ignite. Mr. Bilzerian seems to believe that if he turns over control of the social media account @Ignite to the current directors, that in some way his legal position in the Nevada litigation will be impaired.
- [15] Finally, Mr. Bilzerian submits to me that I was not given all the appropriate information as to ownership of the @Ignite handle, and who should really control it, in October 2024. He wishes to be given an opportunity to present that evidence. I reiterate, to date, that is between October 30 and today, Mr. Bilzerian has chosen not to file any evidence with this court. He has been given multiple opportunities to do so and has chosen not to. Nor has Mr. Bilzerian taken the opportunity, as was provided by paragraph 4 of the order, to file an application seeking some further directions with respect to Ignite's Instagram account. He has simply chosen not to comply with the clear terms of the order.

- [16] In all the circumstances, the only appropriate declaration to make is that sought by Ignite, namely that Mr. Bilzerian is in contempt of court for failing to comply with the term of the order made October 30, 2024, requiring him to return control of and grant access to Ignite's Instagram account @Ignite to Ignite, including by providing all user names and passwords and approving any necessary account changes to effect the transfer within three days of October 30, 2024.
- [17] I make the direction that Mr. Bilzerian is in contempt of court. I do not intend to impose any penalty for contempt today. I am inclined to make an order of special costs against Mr. Bilzerian in any event of the cause payable forthwith in favour of Ignite. (DISCUSSION RE COSTS)
- [18] THE COURT: I make an order of special costs in the amount of \$10,000 in any event of the cause payable by Mr. Bilzerian to the applicant, Ignite, forthwith. "Tammen J."

Source & reproduction note

Judgment wording, source notices and original paragraph numbers are retained. Esheria supplies the layout and this PDF's page numbers; these are not the source pagination. This is a research copy, not an official or certified court document. Check quotations, citations and publication restrictions against the original source before relying on it.

ORIGINAL SOURCE <https://www.bccourts.ca/jdb-txt/sc/25/04/2025BCSC0466.htm>

CASE PAGE <https://chat.esheria.ai/case-law/canada/bilzerian-v-ignite-international-brands-ltd-2025>

Prepared on 27 October 2026 · Esheria