

ONTARIO  
SUPERIOR COURT OF JUSTICE

THE HONOURABLE CHIEF JUSTICE )  
WARREN K. WINKLER ) *Monday*, THE 20 DAY  
 ) OF *May*, 2010

BETWEEN:

JAMIE SMITH, ALANA DALTON, JAMIE McDONALD  
and IRENE SALES INC., OPERATING AS THE HARTLEY HOUSE

Plaintiffs

- and -

THE CORPORATION OF THE MUNICIPALITY OF BROCKTON,  
THE BRUCE-GREY-OWEN SOUND HEALTH UNIT, STAN KOEBEL,  
THE WALKERTON PUBLIC UTILITIES COMMISSION and  
HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO

Defendants

- and -

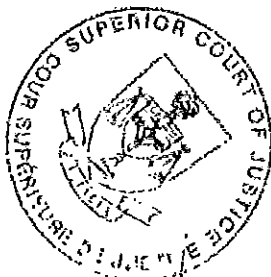
IAN D. WILSON ASSOCIATES LIMITED,  
DAVIDSON WELL DRILLING LIMITED, EARTH TECH (CANADA) INC.,  
CONESTOGA-ROVERS & ASSOCIATES LIMITED,  
B.M. ROSS AND ASSOCIATES LIMITED,  
GAP ENVIROMICROBIAL SERVICES INC.,  
A & L CANADA LABORATORIES EAST, INC.,  
DAVID BIESENTHAL and CAROLYN BIESENTHAL

Third Parties

Proceeding under the *Class Proceedings Act, 1992*

ORDER

THIS MOTION made by the Administrator of the Plan for an order for directions  
regarding certain applications for compensation made after the First Claim Deadline of  
January 2, 2002.



LA PRÉSENT ATTEST QUE CE DOCUMENT, DONT CHACUNE DES PAGES EST REVELUE DU SCEAU DE LA COUR SUPERIEURE DE JUSTICE A TORONTO, EST UNE COPIE CONFORME DU DOCUMENT CONSERVE DANS CE BUREAU  
DATED AT TORONTO THIS 21<sup>st</sup> DAY OF May 2010  
FAIT A TORONTO LE 21<sup>st</sup> May 2010  
REGISTRAR  
GREFFIER

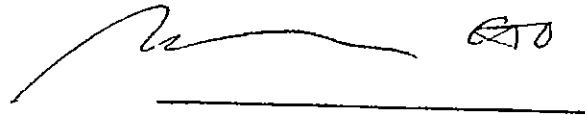
**ON READING** the Motion Record of the Administrator and the Exhibits therein referred to,

**AND ON READING** that the Administrator does not oppose the admission of these late applications to the Plan and that the other parties served with motion materials do not object thereto,

**AND ON HEARING AND READING** the submissions of counsel for certain of the parties, and upon considering subsections 24(8) and (9) and section 12 of the Class Proceedings Act,

1. **THIS COURT ORDERS** that personal service of the Motion Record upon the applicants for late admission to the Plan be dispensed with *nunc pro tunc* as the Administrator does not oppose their admission to the Plan.
2. **THIS COURT ORDERS** that the Administrator shall consider those applications received by it between the First Claim Deadline of January 2, 2002 and November 25, 2009, as though such claims were received prior to the First Claim Deadline.
3. **THIS COURT ORDERS** that having regard for the confidentiality interests of the applicants, the Motion Record and all exhibits referred to therein be sealed and access to such sealed documents shall only be given with leave of the Judge.
4. **THIS COURT ORDERS** that having regard for the confidentiality interests of the applicants, Messrs. McCarthy, Tétrault LLP, Rueter Scargall Bennett LLP, Sutts Strosberg LLP, the Office of the Public Guardian and Trustee and the Office of the

Children's Lawyer return to the Administrator all copies in their possession of the Motion Record and the exhibits referred to therein, or alternatively destroy such documents and confirm in writing to the Administrator such destruction has taken place.

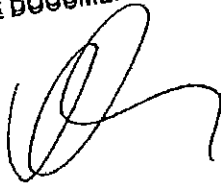


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SMITH ET AL

v.

CORPORATION OF THE MUNICIPALITY OF BROCKTON ET AL

Court File No. 00-CV-192173CP

**ONTARIO  
SUPERIOR COURT OF JUSTICE  
PROCEEDING COMMENCED AT  
TORONTO**

**ORDER**

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