

CANADA / JUDGMENT

Heyder v. Canada (Attorney General)

2020 FC 287

COURT

Federal Court

DECIDED

21 February 2020

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Heyder v. Canada (Attorney General) Court (s) Database Federal Court Decisions Date 2020-02-21 Neutral citation 2020 FC 287 File numbers T-2111-16, T-460-17 Decision Content Date: 20200221 Dockets: T-2111-16 T-460-17 Citation: 2020 FC 287 Ottawa, Ontario, February 21, 2020 PRESENT: The Honourable Mr. Justice Fothergill Docket: T-2111-16 BETWEEN: SHERRY HEYDER AMY GRAHAM NADINE SCHULTZ-NIELSEN Plaintiffs and THE ATTORNEY GENERAL OF CANADA Defendant Docket: T-460-17 AND BETWEEN: LARRY BEATTIE Plaintiff and THE ATTORNEY GENERAL OF CANADA Defendant ORDER (Approval of Second Supplementary Agreement) UPON the motion made in writing by the Plaintiffs for an order approving the public and confidential versions of the Second Supplementary Agreement regarding the appointments of a Lead Assessor and Associate Lead Assessor, and for dispensation from Rule 334.21(2) of the Federal Courts Rules, SOR/98-106 for certain class members; AND UPON reading the Plaintiffs' motion record, including confirmation of the Defendant's consent to the terms of this Order; AND UPON being satisfied that it is in the interests of justice to grant the relief sought; THIS COURT ORDERS that: The terms of the Second Supplementary Agreement between the parties, attached as Schedule "A" to this Order, are approved; Reva Devins is appointed Lead Assessor and shall be paid in accordance with Schedule "A" to the Second Supplementary Agreement; Michelle Flaherty is appointed Associate Lead Assessor and shall be paid in accordance with Schedule "B" to the Second Supplementary Agreement; No person may bring any action or take any proceeding against the Lead Assessor or Associate Lead Assessor, or any of their employees, agents, partners, associates, representatives, successors, or assigns, for any matter in any way relating to the Second Supplementary Agreement or the implementation thereof, except with leave of this Court on notice to all affected parties; Rule 334.21(2), concerning the automatic opt-out of class members who have not yet discontinued proceedings that raise the common questions of law or fact addressed in these class proceedings, shall not apply to Amy Graham, Nadine Schultz-Nielsen, Larry Beattie or Alexandre Tessier. "Simon Fothergill" Judge

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