

CANADA / JUDGMENT

Heyder v. Canada (Attorney General)

2021 FC 139

COURT

Federal Court

DECIDED

10 February 2021

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Heyder v. Canada (Attorney General) Court (s) Database Federal Court Decisions Date 2021-02-10 Neutral citation 2021 FC 139 File numbers T-2111-16, T-460-17 Decision Content Date: 20210210 Dockets: T-2111-16 T-460-17 Citation: 2021 FC 139 Ottawa, Ontario, February 10, 2021 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 (Supplementary Notice Funding) UPON the motion brought informally and in writing on behalf of the Attorney General of Canada; AND UPON reading the materials filed, including the written consent of all parties, signed by their respective counsel and dated January 14, 2021; AND CONSIDERING that s 3.05 of the Final Settlement Agreement executed by the parties and approved by this Court by Order dated November 25, 2019 provides that Canada shall fund the reasonable costs of the KCC/Ricepoint External Notice Program up to a maximum of five hundred and fifty thousand dollars (\$550,000.00); AND CONSIDERING that, due to the ongoing COVID-19 pandemic and the resulting delay in the commencement of the claims process, the implementation of the notice plan has been extended over many months, and the parties have agreed to conduct a supplemental notice program in the Winter/Spring of 2021, with Canada providing up to an additional \$100,000.00 (inclusive of tax) to fund this program; AND UPON being satisfied that it is in the interests of justice to grant the relief sought; THIS COURT ORDERS that Canada shall fund the reasonable costs of the KCC/Ricepoint Supplementary Notice Program attached as Exhibit “A”, or as that program may be subsequently amended by agreement between the parties, to a maximum of one hundred thousand dollars (\$100,000.00), inclusive of tax. “Simon Fothergill” Judge

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