

Federal Court



Cour fédérale

Date: 20220627

Docket: T-2212-16

Vancouver, British Columbia, June 27, 2022

PRESENT: The Honourable Mr. Justice Manson

CLASS PROCEEDING

BETWEEN:

**JESSICA RIDDLE, WENDY LEE WHITE
and CATRIONA CHARLIE**

Plaintiffs

and

HER MAJESTY THE QUEEN

Defendant

ORDER

WHEREAS this Court certified this action as a class proceeding for the purposes of settlement;

WHEREAS the Certification Order expressly incorporates the Settlement Agreement;

WHEREAS section 6.03(4) of the Settlement Agreement states that in no case will the Administrator consider an Individual Payment Application submitted more than ninety (90) days after the Individual Payment Application Deadline;

WHEREAS the Individual Payment Application Deadline was August 30, 2019;

WHEREAS no new Individual Payment Applications may be considered or accepted at this time;

WHEREAS section 6.07(5) of the Settlement Agreement states that within thirty (30) days after a rejection notice has been sent to an applicant by the Administrator, the applicant may request reconsideration by the Reconsideration Officer by mailing to the Administrator a copy of the reconsideration form;

WHEREAS the Settlement Agreement does not provide for an extension of time to seek reconsideration;

WHEREAS the decision of the Administrator is final and binding upon the claimant and the Administrator, subject only to the Individual Payment Reconsideration Procedure set out in section 6.07 of the Settlement Agreement;

WHEREAS section 6.07(7) of the Settlement Agreement states that the decision of the Reconsideration Officer is final without any recourse or appeal to the court or any other tribunal;

WHEREAS the Exceptions Committee only has the powers conveyed in the Settlement Agreement;

AND UPON READING the motion record and the consent of the parties;

THIS COURT ORDERS that:

1. The Claims Administrator commence paying Eligible Class Members who previously received an interim payment of the sum of \$21,000.00, an additional sum of \$4,000.00;
and
2. The Claims Administrator commence paying all other Eligible Class Members the sum of \$25,000.00.

"Michael D. Manson"

Judge