

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE  
JUSTICE EDWARD P. BELOBABA )

TUESDAY, JULY 12, 2022

BETWEEN:

**MARCIA BROWN**

Plaintiff

-and-

**THE ATTORNEY GENERAL OF CANADA**

Defendant

Proceeding under the Class Proceedings Act, 1992

**ORDER**

THIS MOTION, made by the Defendant was heard this day, in writing, at 361 University Avenue in Toronto, Ontario.

**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;

July 15<sup>th</sup>, 2022



**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 ON READING** the Affidavit of Eric Khan, sworn July 8, 2022, and the Consent, filed;

1. **THIS COURT ORDERS** that 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;
2. **THIS COURT ORDERS** that the Claims Administrator commence paying all other Eligible Class Members the sum of \$25,000.00.

**Signed:** *Justice Edward Belobaba*

Notwithstanding Rule 59.05, this Judgment [Order] is effective and binding from the date it is made and is enforceable without any need for entry and filing.

**BROWN**  
Plaintiff

- and -

**THE ATTORNEY GENERAL OF CANADA**  
Defendant

**Court File No. CV-09-00372025-00CP**

**SUPERIOR COURT OF JUSTICE**

Proceeding Commenced at Toronto

**ORDER**

**ATTORNEY GENERAL OF CANADA**

Civil Litigation Section  
500-50 O'Connor Street  
Ottawa, Ontario  
K1A 0H8

**Catherine Moore**

**Travis Henderson**

**Alexandra Pullano**

Tel: (613) 670-6390/(613) 670-6374/(613) 288-5073

Fax: (613) 954-1920

Counsel for the Defendant