

ENDORSEMENT/DIRECTION/ORDER

BEFORE: JUSTICE E.M. MORGAN

COURT FILE NO.: CV-22-00675855-00CP

BURFORD LAW PROFESSIONAL CORPORATION and TAIS DAVIS

Plaintiffs

· v ·

DYE & DURHAM LIMITED and DORPROCESS LP

Defendants

COUNSEL:

Theodore Charney and Caleb Edwards, for the Plaintiffs

David Sischy, for the Defendants

CASE CONFERENCE

The parties have entered into Minutes of Settlement and seek to schedule a settlement approval motion. The action is at the pre-certification stage, the settlement having been reached prior to the certification motion being completed.

Counsel advises that the limitation period has not yet expired, and was tolled with the commencement of this action, and so the settlement will, formally speaking, only effect the two named Plaintiffs. Any other putative class member will still be able to commence their own action.

That said, I consider it advisable to have a settlement approval hearing in open court rather than in writing. Although not strictly required at the pre-certification stage, this will allow time for notice of the hearing to be provided to anyone interested.

Plaintiffs' counsel has informed me that they have had a website devoted to this claim for the past year and a half. To date, there are approximately 16 registrants who have expressed interest as potential class members.

The Minutes of Settlement are to be posted by Plaintiffs' counsel on the website, if they have not already done so. Notice of the hearing, containing the time, date, and Zoom link (once provided by the court administration), and containing an invitation for any member of the public to log into the hearing, is also to be posted by Plaintiffs' counsel on the website devoted

to this claim. Plaintiffs' counsel is to send a similar notice by email to each of the registrants.

The settlement motion will be heard by me on October 24, 2023 at 10:00 a.m. for 1 hour.

A handwritten signature in blue ink, appearing to read "Morgan J.", is centered within a light blue rectangular background.

DATE: August 1, 2023

Morgan J.