

Court File No.: CV-18-591719-00CP

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE)

TUESDAY, THE 4TH

JUSTICE PERELL)

DAY OF JULY, 2023

BETWEEN :

CONREY FRANCIS

Plaintiff

- and -

HIS MAJESTY THE KING IN RIGHT OF ONTARIO

Defendant

Court File No.: CV-20-641003-00CP



**ONTARIO
SUPERIOR COURT OF JUSTICE**

BETWEEN :

ADRIAN CHANDRA

Plaintiff

- and -

HIS MAJESTY THE KING IN RIGHT OF ONTARIO

Defendant

ORDER

THIS MOTION, made by the Plaintiffs for approval of a plan for disseminating notice of the hearing of the Plaintiffs' motions for approval of a Proposed Settlement Agreement and proposed protocol for the distribution of aggregate damages and resolution of individual issues ("**Proposed Protocol**"), was heard this day by video conference.

WHEREAS the Plaintiffs' motions (the "**Motions**") for (1) approval of the Proposed Settlement Agreement and Proposed Protocol in *Chandra v. His Majesty the King in Right of*

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Ontario ("**Chandra**"), and (2) approval of the Proposed Protocol in *Francis v. His Majesty the King in Right of Ontario* ("**Francis**") were previously scheduled to be heard on August 11, 2022;

AND WHEREAS in advance of the August 11, 2022 date, notice of the Motions was disseminated by means of newspaper ads, distribution to community organizations, posting inside Correctional Institutions, mailings and emails to contact lists, and distribution to probation and parole offices;

AND WHEREAS the notice in respect of *Chandra* also advised of the certification of that proceeding;

AND WHEREAS Class Members in *Chandra* were given the opportunity to opt-out, and Class Members in both proceedings were given the opportunity to object to the Proposed Settlement and Proposed Protocol;

AND WHEREAS the August 11, 2022 hearing date was adjourned to provide the parties with an opportunity to complete the dissemination of notice in eight Correctional Institutions within which notice had not been properly posted and to renegotiate certain terms of the Proposed Protocol;

AND WHEREAS notice was subsequently posted in those eight Correctional Institutions;

AND WHEREAS certain terms of the Proposed Protocol were subsequently renegotiated;

AND WHEREAS the adjourned Motions have been scheduled for a continuation hearing on September 22, 2023;

ON READING the correspondence of the Plaintiffs and on hearing the submissions of the lawyer(s) for the Plaintiffs and the Defendant,

1. **THIS COURT ORDERS** that notice of the hearing of the continuation of the Motions be disseminated in advance of the hearing by the following means:

(a) Class Counsel shall post the revised version of the Proposed Protocol on its website;

- (b) Class Counsel shall post on its website a summary of the major revisions to the Proposed Protocol that were negotiated following the adjournment of the August 11, 2022 hearing date;
- (c) Class Counsel shall distribute a notice regarding the hearing, including links to the revised version of the Proposed Protocol and the summary of the major revisions, to all persons who have registered for updates regarding the *Francis* and *Chandra* actions;
- (d) The parties shall issue a press release, the content of which shall be agreed upon between the parties, advising of the Proposed Settlement Agreement, the Proposed Protocol, and the hearing date for the continuation of the Motions;
- (e) The Administrator (Epiq Class Action Services Canada) shall post the revised version of the Proposed Protocol on the website established for the *Francis* and *Chandra* actions; and
- (f) The Administrator shall update the Frequently Asked Questions (FAQ) portion of its website to provide a summary of the major revisions to the Proposed Protocol.



FRANCIS
CHANDRA
Plaintiff

and

HIS MAJESTY THE KING IN RIGHT OF ONTARIO
HIS MAJESTY THE KING IN RIGHT OF ONTARIO
Defendant

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ONTARIO
SUPERIOR COURT OF JUSTICE

Proceedings commenced at TORONTO

ORDER

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