COURT FILE NUMBER 1503-19250

COURT

COURT OF KING'S BENCH OF ALBERTA

JUDICIAL CENTRE EDMONTON

PLAINTIFF CAROLINE BRETON

CENTRE OF FOM THE OF FOM Dec 21, 2022

DEFENDANTS GEORGE ANDREW AND SONS LTD., carrying on business as Astoria Hotel, GEORGE ANDREW, STEPHANIA ANDREW and PAM ANDREW

## DOCUMENT

<u>ORDER</u>

ADDRESS FOR SERVICE ANDJENSEN SHAWA SOLOMON DUGUID HAWKES LLPCONTACT INFORMATION800, 304 - 8 Avenue SWOF PARTY FILING THISCalgary, Alberta T2P 1C2

OF PARTY FILING THIS DOCUMENT

> Gavin Price Tel: 403 571 0747 Fax: 403 571 1528 priceg@jssbarristers.ca Sean Carrie Tel: 403 571 1050 Fax: 403 571 1528 carries@jssbarristers.ca File: 13416-001

| DATE ON WHICH ORDER WAS PRONOUNCED: | November 10, 2022                 |
|-------------------------------------|-----------------------------------|
| LOCATION OF HEARING OR TRIAL:       | Edmonton, Alberta                 |
| NAME OF MASTER WHO MADE THIS ORDER: | Hon. Mr. Justice P.B. Michalyshyn |

UPON THE APPLICATION of the Plaintiff, Caroline Breton; AND UPON reading the Affidavit of Caroline Breton, affirmed November 6, 2022; AND UPON hearing from Class Counsel and Counsel for the Defendants;

## IT IS HEREBY ORDERED THAT:

1. The Settlement Agreement, as exhibited at Exhibit 'A' to the Affidavit of Caroline Breton, affirmed November 6, 2022 ("**Settlement Agreement**"), is approved, pursuant to section 35 of

the *Class Proceedings Act*, SA 2003, C-16.5, as fair, reasonable and in the best interests of the Class;

2. The Settlement Agreement shall be implemented in accordance with its terms;

3. The Settlement Agreement binds the parties and the Class Members, including those persons or estates that may require litigation representatives;

4. The requirements of Rules 2.11 and 2.18 are hereby waived;

5. The plan for the distribution of net settlement proceeds as set out at Section 7 of the Settlement Agreement is approved as fair and appropriate. The net settlement proceeds shall be distributed in accordance with the terms of the Settlement Agreement;

6. The Parties shall agree and seek an Order of the Court appointing a claims administrator in accordance with the terms of the Settlement Agreement within 30 days of the date of the Effective Date (as defined in the Settlement Agreement);

7. The Parties may, on notice to the Court, but without the need for further Order of the Court, agree to reasonable extensions of time to carry out any of the provisions of the Settlement Agreement;

8. Upon the Effective Date, the Releasors will have released and discharged the Releasees from the Released Claims in accordance with Section 9 of the Settlement Agreement; and

9. Upon the Effective Date, the Action against the Defendants is dismissed, without costs.

Justice of the Court of King's Bench of Alberta

APPROVED AS BEING THE FORM OF ORDER ISSUED this <u>30</u> day of November, 2022

JENSEN SHAWA SOLOMON DUGUID HAWKES LLP

SEAN CARRIE Counsel for Plaintiff, Caroline Breton

APPROVED AS BEING THE FORM OF ORDER ISSUED this \_\_\_\_ day of November, 2022

## **BURNET DUCKWORTH & PALMER LLP**

ANDREW SUNTER Counsel for Defendants, George Andrew and Sons Ltd., carrying on business as Astoria Hotel, George Andrew, Stephania Andrew and Pam Andrew