

ONTARIO SUPERIOR COURT OF JUSTICE

MASTER MACLEOD

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Wednesday the 25th day of July, 2001

Between:

JUDITH LOGAN

Plaintiff

and

**HER MAJESTY THE QUEEN IN RIGHT OF CANADA
as represented by the MINISTER OF HEALTH,
THE ATTORNEY GENERAL FOR CANADA,
REGULATORY INSTITUTION 1, REGULATORY INSTITUTION 2,
JOHN DOE and JANE DOE**

Defendants

Proceeding under the *Class Proceedings Act*, 1992

ORDER

UPON MOTION made by the defendants and referred to me by Winkler J. for rulings on the propriety of questions put to four affiants during cross examinations, and for an order that the affiants re-attend at the expense of the plaintiff to be cross-examined further and answer those questions ruled to be proper together with any questions arising therefrom, and for an order that the failure of any affiant to re-attend and answer those questions

shall result in the striking of that affidavit and the motion to join Wendy Bulloch-MacIntosh as a representative plaintiff in the main action, or in the alternative, and that the action be dismissed.


AND UPON READING the pleadings in this action; the materials filed by both parties in the motion to add Wendy Bulloch-MacIntosh as a representative plaintiff; the affidavit of Judith Logan sworn May 14, 2000; the affidavits of Wendy Bulloch-MacIntosh sworn May 15, 2000 and January 22, 2001; the affidavit of Grace Tsang sworn March 21, 2001; the affidavit of Cameron Pallett sworn May 1, 2000; the transcript of a Case Management Conference with the Honourable Mr. Justice Winkler on March 8, 2001; the transcript of the cross-examination of Wendy Bulloch-MacIntosh dated March 26, 2001; the transcript of the cross-examination of Grace Tsang dated March 28, 2001; the transcript of the cross-examination of Judith Logan dated March 29, 2001; and the transcript of the cross-examination of Cameron Pallett dated March 30, 2001; the notice of motion, and the written submissions of the defendant dated June 6, 2001, the written submissions of the plaintiff dated June 13, 2001, and the defendant's Reply dated June 18, 2001,

1. THIS COURT DECLARES that the questions determined to be proper are set out in Schedules I, II, III, and IV hereto. *and they are to be answered by the affiants. ✓ for*

~~2. THIS COURT ORDERS that Judith Logan, Wendy Bulloch-MacIntosh, Grace Tseng, and Cameron Pallett re-attend at their own expense at such time and such place as appointment may be made by the defendants for their attendance to answer those~~

~~questions ruled to be proper questions, and any further questions arising from the answers to those questions.~~

12 / 2 THIS COURT ORDERS that the costs of this motion be reserved to the Case Management judge hearing the motion to add Wendy Bulloch-MacIntosh as a plaintiff and to amend the pleadings, which was brought on January 8, 2001.


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