

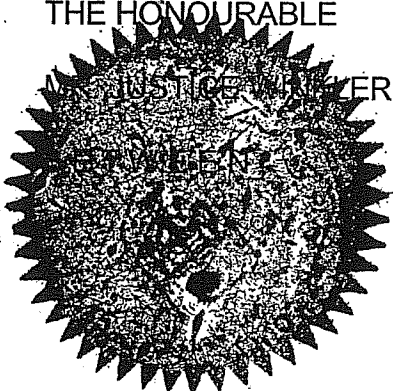
ONTARIO
SUPERIOR COURT OF JUSTICE

THE HONOURABLE)

Monday, the 25th day of

JUSTICE WATSON)

September, 2006



KATHRYN ANNE TAYLOR

Plaintiff

and

HER MAJESTY THE QUEEN IN RIGHT OF CANADA AS REPRESENTED BY
THE MINISTER OF HEALTH, THE ATTORNEY GENERAL OF CANADA

Defendants

and

BAXTER HEALTHCARE CORPORATION,
BAXTER INTERNATIONAL INC., INAMED CORPORATION,
TMJ IMPLANTS INCORPORATED, DOW CORNING CORPORATION,
MEDTRONIC XOMED SURGICAL PRODUCTS INCORPORATED,
SMITH MEDICAL CANADA INCORPORATED,
BRISTOL MYERS SQUIBB COMPANY,
RELIGIOUS HOSPITALLERS OF SAINT JOSEPH OF THE HÔTEL DIEU OF
KINGSTON, MOUNT SINAI HOSPITAL,
UNIVERSITY HEALTH NETWORK (FORMERLY TORONTO GENERAL
HOSPITAL),
DR. A.K. WYLLIE, DR. GERALD BAKER and DR. W. DOBROVOLSKY

Third parties

(Proceeding under the *Class Proceedings Act*, 1992)

ORDER

UPON THE ISSUING of a Fresh as Amended Statement of Claim by the plaintiffs and upon motion made by the Attorney General of Canada for leave to discontinue Third Party Claims against certain third parties, in the presence of counsel for all parties.

ON READING the materials filed herein and on hearing the submissions of counsel aforesaid:

1. THIS COURT GRANTS LEAVE TO THE DEFENDANT TO DISCONTINUE THE SAID THIRD PARTY CLAIMS AND ORDERS THAT the Third Party Claims are discontinued against the following third parties:

Baxter Healthcare Corporation;
 Baxter International Inc.;
 Inamed Corporation;
 TMJ Implants Incorporated;
 Dow Corning Corporation;
 Medtronic Xomed Surgical Products Incorporated;
 Smiths Medical Canada Ltd. (Incorrectly named Smith Medical Canada Incorporated);
 Bristol Myers Squibb Company;
 Religious Hospitallers of Saint Joseph of the Hôtel Dieu of Kingston;
 Mount Sinai Hospital;
 Dr. A.K. Wyllie; and
 Dr. Gerald Baker.

2. THIS COURT ORDERS THAT the style of cause be amended by the removal of the names of the said Third parties from the style of cause.

3. THIS COURT ORDERS THAT this discontinuance is without prejudice to the right of any of the Third Parties to assert a claim in the *Drady v. HMQ Canada* action (06- CV-307254-CP) for their costs thrown away in respect of this action.

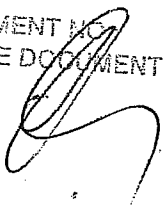


Winkler R.S.J.

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KATHRYN ANNE TAYLOR

Plaintiffs

AND

**HER MAJESTY THE QUEEN IN
RIGHT OF CANADA ET AL.**

Defendant

AND

**BAXTER HEALTHCARE
CORPORATION, ET AL.**

Third Parties

**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceeding Commenced at Toronto

ORDER

Department of Justice
Ontario Regional Office
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Law Society No.: 15521T

Solicitors for the Defendant