

Court File No: 99-CV-181819 CP A [TORONTO]

ONTARIO  
SUPERIOR COURT OF JUSTICE

BETWEEN:

KEVAN DRADY AND KATHRYN ANNE TAYLOR

Plaintiffs

- and -

HER MAJESTY THE QUEEN IN RIGHT OF CANADA AS REPRESENTATIVE  
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 HOTEL 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*

NOTICE OF INTENT TO DEFEND

The Third Party, Dow Corning Corporation, intends to defend the within action.

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Date: December 7, 2004

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AND

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AND

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AND

TO: Medtronic Xomed Surgical Products Incorporated  
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AND

TO: Smith Medical Canada Incorporated  
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AND

TO: Bristol Myers Squibb Company  
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AND

TO: Religious Hospitallers of Saint  
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AND

TO: Mount Sinai Hospital  
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AND

TO: University Health Network  
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