

**HSA Class Action
Update - November 4, 2015
Bulletin #2**

Defendants' Application for a Stay of Proceedings

On October 27, 2015, Justice Punnett, the class proceedings judge, heard applications by the defendants for an order staying the class proceedings until the defendants' appeals, from the certification order to the Court of Appeal, are heard and disposed of. The plaintiffs opposed the defendants' applications and brought their own application for orders that the defendant Trustees provide plaintiffs' counsel with the names and addresses of the 220 potential class members and that a notice be issued to the class.

On November 3, 2015, Justice Punnett issued oral reasons for judgment dismissing the defendants' applications for a stay of proceedings and allowing the plaintiffs' application, in part, by ordering that the defendant trustees provide plaintiffs' counsel, within seven days, the names and addresses of the potential class members. The Court further ordered that plaintiffs' counsel are to keep the names confidential, but may issue an information notice to the individual potential class members, in a form approved by the court. The order of the court and the written reasons for judgment will be posted on this site once they are finalized.

Hearing Date of Defendants' Appeal from the Certification Order

The hearing of the defendants' appeal has been scheduled for one day before the Court of Appeal on January 26, 2016.