



No. S134066
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

Between:

Nina Watt and James Hensman

PLAINTIFFS

And:

Health Sciences Association of British Columbia,

Reid Johnson, Valerie Avery and Bruce Macdonald in their capacity as the Trustees of the Health Sciences Association of B.C. Trust Fund and the said The Health Sciences Association of B.C. Trust Fund,

Reid Johnson, Bruce Macdonald and Marg Beddis in their capacity as the Trustees of The HSA LTD Trust No. 2 and the said The HSA LTD Trust No. 2,

Reid Johnson, Bruce Macdonald, Valerie Avery and Marg Beddis in their capacity as the Trustees of The HSA LTD Trust No. 3 and the said The HSA LTD Trust No. 3, and

Reid Johnson, Bruce Macdonald, Valerie Avery and Marg Beddis

DEFENDANTS

ORDER MADE AFTER APPLICATION

BEFORE)
) THE HONOURABLE MR.)
) JUSTICE PUNNETT) AUGUST 25, 2017
)

ON THE APPLICATION of the Plaintiffs, Nina Watt and James Hensman, coming on for hearing at the Courthouse at 800 Smithe Street, Vancouver, British Columbia this date; and on hearing Andrew J. Pearson, counsel for the Plaintiffs, Craig A.B. Ferris, Q.C. and Amy M. Nathanson, counsel for the Defendant Health Services Association of British Columbia ("HSA") and Lauren A. Blake, counsel for the Defendants Reid

Johnson, Valerie Avery, Bruce MacDonald and Marg Beddis (collectively, the "Trustees"),

THIS COURT ORDERS that:

1. the Notice to Class Members (the "Notice") be in the form attached as **Appendix "A"** to the Notice of Application dated August 8, 2017 in this matter, with the following two changes:
 - a. the words "fall within the definition of the class," added after the words "British Columbia" in the first paragraph on page 4; and
 - b. the words "fall within the definition of the class," added after the words "British Columbia" in the fourth paragraph on page 4.
2. the Notice be distributed by Church & Company sending the Notice by regular mail to the addresses of potential class members provided to them by the Defendants, or as may have been updated by contact with class members, and by placing a copy of the Notice and a copy of this order on Church & Company's website. Church & Company may also send copies of the Notice to email addresses provided to them by class members;
3. counsel for the Plaintiffs shall provide counsel for the Defendants with the names of people for whom the original information notices were returned. The Trustees will have 30 days, following receipt of these names, to retain a skip tracer and provide current addresses for those people to Plaintiffs' counsel. In the event that the Trustees are unable to provide current addresses to Plaintiffs' counsel within 30 days of their receipt of the names from Plaintiffs' counsel then, without further order of the Court, the Defendant, HSA shall post a copy of the Notice on its website – www.hsabc.org, under the "News and Updates" section. Further, in the event that counsel for the Plaintiffs receive further returned notices, they shall provide the names to counsel for the Defendants and the Trustees will have 30 days, following receipt of the new names to retain a skip tracer and provide current addresses for those people to Plaintiffs' counsel. In the event that the

Trustees are unable to provide current addresses to Plaintiffs' counsel for such new people within 30 days of their receipt of the name(s) from Plaintiffs' counsel then, without further order of the Court, the Defendant, HSA shall post a copy of the Notice on its website – www.hsabc.org, under the "News and Updates" section.


4. any class member resident in British Columbia who wishes to opt-out of the class action, must do so by sending notice in writing by fax, mail, courier or email indicating their intention to do so to Church & Company, to be received by, or if sent by mail, postmarked on or before **Thursday, November 24, 2017**; and
5. any potential class members resident outside of British Columbia who wishes to opt-in to the action, must do so by sending notice in writing by fax, mail, courier or email indicating their intention to do so to Church & Company, to be received by, or if sent by mail, postmarked on or before **Thursday, November 24, 2017**

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:


By the Court

Registrar


APPROVED AS TO FORM:



Andrew J. Pearson
Counsel for the Plaintiffs



Craig A.B. Ferris, Q.C.
Counsel for the HSA of BC



Lauren A. Blake.
Counsel for the Trustees