

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE)
)
MR. JUSTICE SPROAT)

WEDNESDAY, THE 16TH
DAY OF MARCH, 2021

BETWEEN:

(Court Seal)

CLAUDETTE WOOD, BRUCE COOK and JOHN FEATHERSTONE
Plaintiffs
(Moving Parties)

and

CTS OF CANADA CO. and CTS CORPORATION
Defendants
(Responding Parties)



ORDER

(Settlement Approval)

WHEREAS the Plaintiffs and the Defendants have entered into a final settlement agreement on February 10, 2021, which agreement is attached to this Order as a Schedule [the "Settlement Agreement"];

AND WHEREAS this Honourable Court approved the form of notice and plan for distribution of the notice of this motion;

AND UPON READING the Plaintiffs' motion record and written submissions;

UPON BEING ADVISED of the Defendants' consent to the form of this Order but take no position as to the legal fees, taxes, and disbursements sought by counsel for the Plaintiffs;

AND UPON HEARING the motion made by oral submissions of counsel for the Plaintiffs, and all interested parties, including any objections, written and oral;

THIS COURT ORDERS THAT:

1. For the purposes of this Order, the definitions set out in the Settlement Agreement apply to and are incorporated into this Order.
2. In the event of a conflict between this Order and the Settlement Agreement, this Order shall prevail.
3. The Class Members shall be defined as follows:

All persons who were employed by one or both of the Defendants at their facility located at 80 Thomas Street, in Streetsville, Ontario who received notice of termination of their employment at any time on or after April 17, 2014 until final closure of this facility.

This class does not include

- (a) employees who executed a full and final release in favour of the Defendants up to November 30, 2015;
- (b) employees who were dismissed for just cause;
- (c) employees who were absent due to disability; and,
- (d) Ugo Baldassare, the Plant Manager.

4. The Settlement Agreement is fair, reasonable and in the best interests of the Class.

5. The Settlement Agreement is hereby approved pursuant to section 29 of the *Class Proceedings Act, 1992* and shall be implemented and enforced in accordance with its terms.

6. Upon the Final Approval Date, each Settlement Class Member has released and shall be conclusively deemed to have forever and absolutely released the Defendants from the matters set out in paragraphs 21 and 22 of the Settlement Agreement.

7. Notice of the Final Approval Order shall be provided in the manner provided for in Schedule "A" to the Settlement Agreement. This notice shall be given in that manner by April 20, 2021.

8. Class counsel's legal fees and disbursements are approved in the amount of \$174,724.92 in fees, \$22,714.24 in HST on these fees, and \$17,195.98 in disbursements (which is inclusive of taxes applicable to some of these disbursements), for a total of \$214,635.14. The amount of \$214,635.14 shall be paid to Class Counsel from the improvements obtained in accordance with the process outlined in the affidavit of Stephen J. Moreau.


9. The Plaintiffs shall each receive the sum of \$7,500 as an honorarium to be paid in accordance with the Settlement Agreement.

10. This Order and the Settlement Agreement are binding upon all Class Members, including those persons who are under a disability.

11. For the purposes of the administration of the Settlement Funds, the Court appoints Trilogy Class Action Services.

12. For the purposes of administration and enforcement of the Settlement Agreement and this Order, this Court will retain an ongoing supervisory role.

13. This Action be and is hereby dismissed against the Defendants, without costs and with prejudice.



Justice John Sproat