

CITATION: Smith v. Inco, 2010 ONSC 4265
COURT FILE NO.: 12023/01
DATE: 2010/07/29

SUPERIOR COURT OF JUSTICE - ONTARIO

RE: Ellen Smith v. Inco Limited

BEFORE: The Honourable Mr. Justice J. R. Henderson

COUNSEL: K. Baert, C. Poltak, and E. Gillespie, for the Plaintiff

A. Lenczner, L. Lowenstein, and L. Fric, for the Defendant

ENDORSEMENT
Re: Procedure

After hearing submissions by teleconference, it is hereby ordered that:

- (1) the court will hear submissions re: the issues of (a) costs as between the Plaintiff and the Defendant, and (b) pre-judgment interest; at the Welland Courthouse starting October 5, 2010 at 10:00 a.m. for approximately one day;
- (2) notice of the hearing will be given by the Plaintiff to the Class Proceedings Fund;
- (3) the schedule for delivery of materials for the hearing is as follows:
 - (a) Plaintiff's material by August 23, 2010
 - (b) Defendant's material by September 20, 2010
 - (c) Plaintiff's reply by October 1, 2010;
- (4) the issues of a costs premium, notice to the class, the procedure for making a claim, and the distribution are all deferred until the appeal has been resolved.

DATE: July 29, 2010


Henderson J.

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