

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE MR. JUSTICE  
MAURICE CULLITY

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*Monday*, THE  
*23rd* DAY OF NOVEMBER, 2009

BETWEEN:

**HEATHER ROBERTSON**

Plaintiff

- and -

**THOMSON CANADA LIMITED, THOMSON AFFILIATES, INFORMATION  
ACCESS COMPANY  
and BELL GLOBEMEDIA PUBLISHING INC.**

Defendants

Proceeding under the *Class Proceedings Act, 1992*

**ORDER**

**THIS MOTION**, made by the Plaintiff for an order approving the legal fees, disbursements and G.S.T. recoverable with respect to these proceedings, was heard on June 16, 2009, at the Court House, 130 Queen Street West, Toronto, Ontario.

**ON READING** the motion record and factum of Class Counsel, and the Settlement Agreement dated May 1, 2009 which was attached as Schedule "A" to the Judgment dated August 12, 2009 approving this settlement (the "Settlement Agreement"), and upon hearing the submissions of counsel and for reasons issued June 24, 2009,

1. **THIS COURT ORDERS** within 30 days after the Opt Out Deadline (as defined in the Settlement Agreement), the Defendants shall make the following payments::

- a) the sum of \$25,000 to each of:
  - (i) the Professional Writers Association of Canada;

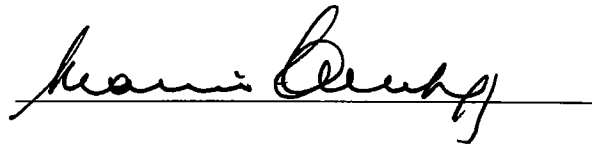
- (ii) the Writers' Union of Canada; and,
  - (iii) the Canadian Association of Photographers and Illustrators in Communications.
- (b) the fees approved by the Court as being payable to Class Counsel in respect of Class Counsel Costs, that amount being \$4,000,000 in respect of legal fees, plus GST in the amount of \$200,000 and disbursements, inclusive of all applicable taxes, in the amount of \$34,567.93, to Koskie Minsky LLP;
- (c) to the Claims Administrator, the sum of \$11,000,000, less
- (i) the Costs of the Notice Program, as defined at paragraph 25 to 29 of the Settlement Agreement; and,
  - (ii) the amounts specified in paragraphs 1(a) and (b) herein.

2. **THIS COURT ORDERS** the payment to the Claims Administrator specified in paragraph 1(c) above shall be distributed by the Claims Administrator in the following manner:

- (a) \$5,000 shall be payable to the representative plaintiff as compensation for acting as a representative plaintiff;
- (b) \$34,824.42 shall be payable to the representative plaintiff, in trust, to be reimbursed to individuals and organizations who contributed funds to the representative plaintiff to defray disbursements in the prosecution of this action;
- (c) \$15,681.84 shall be payable to the Law Foundation of Ontario, owing for disbursements previously advanced by the Law Foundation of Ontario to the plaintiff; and,
- (d) the balance shall be available for the purposes of:

- (i) providing distributions to Class Members, in settlement of the claims of this Action, which shall be distributed to Class Members in accordance with the scheme set out at Schedule B to the Settlement Agreement;
- (ii) paying the Claims Administrator's compensation; and
- (iii) paying any money owed by the plaintiff to the Class Proceedings Fund.

3. **THIS COURT ORDERS** that the Levy owing to the Law Foundation of Ontario shall be determined on further order of this Court once the total amounts spent on notice to the Class and administration of settlement are finalized.



ROBERTSON v. THE THOMSON CORPORATION, et al.

Court File No: 96-CU-110595CP

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at Toronto

**ORDER**

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