

IAN SANSOM, ROBERT LUKAS, JOHN MCNAB and ED DORR, the proposed representatives of all terminated employees and retirees of Shaw Canada L.P. under Rule 10 of the Rules of Civil Procedure

Plaintiffs

SHAW CANADA L.P., THE SHAW GROUP INC., STONE & WEBSTER INC., STONE AND WEBSTER HOLDING ONE NS ULC, et al.

Defendant

Oct 9/13

A. Hatnay, J. Bida & J. Harnum for Plaintiffs

D. Bish for Duff & Phelps Foster.

G. Scott for TSGI, Defendants.

All parties were in support of the PDR. Counsel to the Plaintiffs filed a comprehensive fee sheet which included a detailed summary of facts which gave rise to the dispute as well as the negotiation that took place that resulted in the proposed settlement.

The amount of the settlement for class members reflects a recovery of approximately

MB

October 9, 2013

ONTARIO SUPERIOR COURT OF JUSTICE (COMMERCIAL LIST)

Proceeding commenced at Toronto

MOTION RECORD OF THE PLAINTIFFS (Motion for Certification and Approval of Settlement returnable October 9, 2013)

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Lawyers for the Plaintiffs

70% of the class members' claims, which
Plaintiffs counsel references as "an excellent
result particularly since Show Canada is
bankrupt, there are limited assets in the
estate, and the thrust of the plaintiffs'
claim against TSG-1 was based on the
common employer doctrine."

The issues and the law are set out
at 41-82 of the ~~factum~~. The legal
submissions are persuasive.

Having reviewed the record I am satisfied
that

- (i) leave to amend the statement of
claim to cover the actin to a
proceeding under the Class Proceedings
Act, 1992 ("CPA") should be granted.
- (ii) the actin should be certified
as a class proceeding.
- (iii) The settlement, as described in
the ~~factum~~ ^{factum} should be approved.

(iv) the Distribute Protocol should be approved.

(v) the fees of plaintiff counsel should be approved.

In making this determination I have taken into account that

(i) the action meets the criteria for certifying as a class proceeding;

(ii) the Settlement is, in my view, fair, reasonable and in the best interests of the class members

(iii) in my view, the Distribute Protocol is fair, reasonable and in the best interests of the class members; and

(iv) the fees of plaintiffs' counsel are reasonable in the circumstances and should be approved.

Appendix "F"

The order is quoted and the
order has been signed in
the form presented.

A. J. Brown.