

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE
JUSTICE PERELL

) Thursday, THE 21st
) DAY OF FEBRUARY, 2019
)
)

B E T W E E N :

CHRISTOPHER BRAZEAU and DAVID KIFT

Plaintiffs

- and -

THE ATTORNEY GENERAL OF CANADA

Defendant

Proceeding under the *Class Proceedings Act, 1992*

O R D E R

THIS MOTION for an amendment to the certification order, brought by the Plaintiffs was heard this day at Osgoode Hall, 130 Queen Street West, Toronto, Ontario.

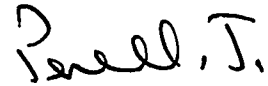
ON HEARING the submissions of counsel for the Plaintiffs and the Defendants and reading the Plaintiffs' motion record;

1. **THIS COURT ORDERS AND DECLARES** that the Class in this class proceeding shall be defined as:

All offenders in federal custody, who were placed in administrative segregation, who were diagnosed by a medical doctor with an Axis I Disorder (excluding substance use

disorders), or Borderline Personality Disorder, who suffered from their disorder, in a manner described in Appendix A, and reported such during their incarceration, where the diagnosis by a medical doctor occurred either before or during incarceration in a federal institution and the offenders were incarcerated between November 1, 1992 and the present, and were alive as of July 20, 2013.

2. **THIS COURT ORDERS** that the above Class Definition shall replace the Class Definition found at Paragraph 2 of the Certification Order of the Honourable Justice Perell, dated December 12, 2016.
3. **THIS COURT ORDERS** that Class members shall be notified of the amendment to the Class definition by further Order of this Court.
4. **THIS COURT ORDERS** that there shall be no costs of this motion.



JUSTICE PERELL

Appendix A

- *Significant impairment in judgment (including inability to make decisions; confusion; disorientation);*
- *Significant impairment in thinking (including constant preoccupation with thoughts, paranoia; delusions that make the offender a danger to self or others);*
- *Significant impairment in mood (including constant depressed mood plus helplessness and hopelessness; agitation; manic mood that interferes with ability to effectively interact with other offenders, staffs or follow correctional plan);*
- *Significant impairment in communications that interferes with ability to effectively interact with other offenders, staff or follow correctional plan;*
- *Significant impairment due to anxiety (panic attacks; overwhelming anxiety) that interferes with ability to effectively interact with other offenders, staff or follow correctional plan;*
- *Other symptoms: hallucinations; delusions; severe obsessional rituals that interferes with ability to effectively interact with other offenders, staff or follow correctional plan;*
- *Chronic and severe suicidal ideation resulting in increased risk for suicide attempts;*
- *Chronic and severe self-injury; or,*
- *A GAF score of 50 or less.*

BRAZEAU ET AL.
Plaintiff and
ATTORNEY GENERAL OF
CANADA
Defendant

Court File No.: CV-15-532262500-CP

ONTARIO
SUPERIOR COURT OF JUSTICE
Proceeding commenced at TORONTO

**ORDER
(AMENDING CLASS DEFINITION)**

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