

Form 78.05

2009

Hfx. No. 315567

SUPREME COURT OF NOVA SCOTIA

BETWEEN:

ALBERT CARL SWEETLAND and BARBARA FONTAINE



Plaintiffs

- AND -

GLAXOSMITHKLINE INC. and GLAXOSMITHKLINE LLC

Defendants

Proceeding under the *Class Proceedings Act*, S.N.S 2007, c. 28

ORDER APPROVING CLASS COUNSEL LEGAL FEES



BEFORE THE HONOURABLE JUSTICE MICHAEL J. WOOD

A **MOTION** made by the Plaintiffs for an order approving Class Counsel Legal Fees arising from a settlement entered into between the parties on October 11, 2018 (the “Settlement Agreement”), was heard January 29, 2019 at the Law Courts, 1815 Upper Water Street in Halifax, Nova Scotia, and a decision was issued by the Honourable Justice Wood on April 30, 2019; and further to that decision the Plaintiffs sought approval of an Amended Settlement Agreement dated June 3, 2019;

**UPON READING** the affidavits of Madeleine Carter, affirmed the 14<sup>th</sup> day of December, 2018 and the 18<sup>th</sup> day of April, 2018; the affidavit of Albert Carl Sweetland, sworn the 6<sup>th</sup> day of December, 2018; and the affidavit of Barbara Fontaine, sworn the 5<sup>th</sup> day of December, 2018;

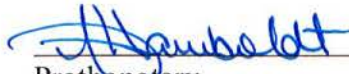
**AND UPON READING AND HEARING** the submissions of Class Counsel;

**AND WHEREAS** any capitalized terms used in this Order and not otherwise defined have the meanings given to them in the Settlement Agreement;

**IT IS ORDERED THAT:**

1. Legal fees in the amount of CAD\$966,666.67 (plus applicable taxes of CAD\$145,000) payable to Class Counsel from the Minimum Settlement Amount are approved as fair and reasonable;
2. Class Counsel may bring a motion to seek approval of legal fees payable to Class Counsel from any additional Settlement Payment made beyond the Minimum Settlement Amount, pursuant to paragraph 5.1(b) of the Settlement Agreement and for additional work done by Class Counsel during the claims administration process;
3. Disbursements in the amount of \$111,523.24 (\$100,626.71 plus applicable tax of \$10,896.53) payable to Class Counsel are approved as fair and reasonable, and Class Counsel may subsequently seek approval of disbursements incurred but not yet calculated, estimated to not exceed an aggregate maximum of \$400,000; and
4. An honorarium in the amount of \$3,000, to be paid from the Minimum Settlement Amount, shall be paid to the Plaintiff, Albert Carl Sweetland.

Dated June 13, 2019

  
Prothonotary  
**AMANDA HAWBOLDT**  
Deputy Prothonotary