

IN THE COURT OF QUEEN'S BENCH  
OF NEW BRUNSWICK

TRIAL DIVISION

JUDICIAL DISTRICT OF SAINT JOHN

BETWEEN:

**EDWARD HANSCOMB, SHELDON PALK, and ALFRED DOIRON,**

Plaintiffs,

- and -

**THE CO-OPERATORS LIFE INSURANCE COMPANY**

Defendant.

**Brought under the *Class Proceedings Act*, R.S.N.B. 2011, c.125**

**AMENDED ORDER – CERTIFICATION SCHEDULE**

**WHEREAS** an Order of this Honourable Court dated the 13<sup>th</sup> day of June, 2018 was issued providing the schedule for the Plaintiffs' Certification Hearing originally scheduled to be heard on May 21, 22, 23, and 24, 2019, (the "Previous Order");

**AND WHEREAS** the Plaintiffs' Notice of Action named Eckler Ltd. as one of the Defendants;

**AND WHEREAS** the within proceeding was discontinued against Eckler Ltd. by Order dated December 14, 2018 and filed with this Honourable Court January 16, 2019 and as a result Eckler Ltd. has been removed from the style and cause;

**AND WHEREAS** the Previous Order provided a schedule for the conduct and completion of various steps in advance of the Certification Hearing date;

**AND WHEREAS** the Plaintiffs filed their Certification Record on September 21, 2018, in accordance with the schedule provided in the Previous Order;

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**AND WHEREAS** the Defendants filed a motion for a preservation and production order, initially to be heard on December 14, 2018 and ultimately heard on February 5, 2019 (the “Motion Hearing”);

**AND WHEREAS** the Motion Hearing necessitated a revision of the certification schedule, including the Certification Hearing date;

**AND UPON** previously being satisfied that the parties, apart from Eckler Limited, who was removed from this matter following a Consent Order of this Honourable Court dated December 14, 2018, have agreed to a schedule leading to the hearing of the Plaintiffs’ Motion for Certification;

**AND WHEREAS** a Case Management Conference with the parties was held on May 29, 2019;

**AND WHEREAS** the Case Management Conference resulted in a revision of the certification schedule with respect to deadlines for non-party examinations in advance of the Certification Hearing;

**AND UPON** being satisfied that dates for non-party examinations should be included in the schedule;

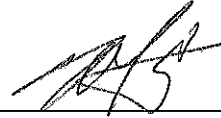
**IT IS HEREBY ORDERED:**

1. **THAT** the Plaintiffs’ Certification Motion be heard on November 18, 19, and 20, 2019, commencing at 9:30 a.m. each day;
2. **THAT** the Defendants’ response records be filed on or before June 14, 2019;
3. **THAT** any non-party examinations take place on or before July 31, 2019;
4. **THAT** all transcripts from such non-party examinations be filed on or before August 30, 2019;
5. **THAT** any cross-examinations take place on or before August 30, 2019;



6. **THAT** the Defendants' Statement of Defence be filed on or before September 20, 2019;
7. **THAT** the Plaintiffs' certification brief be filed on or before October 4, 2019;
8. **THAT** the Defendants' response briefs be filed on or before November 1, 2019; and
9. **THAT** the Plaintiffs' reply brief be filed on or before November 12, 2019.

Dated at the City of Saint John in the Province of New Brunswick this 31 day of *May*, 2019.



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**The Honourable Justice William T. Grant**  
**J.C.Q.B. of New Brunswick**