

Form 8
Rule 57(1)

File No. 2017 01H 0105
IN THE COURT OF APPEAL OF NEWFOUNDLAND AND LABRADOR

BETWEEN:

RICHARD DEWEY, WILLIAM PERRY,
CHARLOTTE JACOBS and WILLIAM TURNER

APPELLANTS

AND:

CORNER BROOK PULP AND PAPER LIMITED

FIRST RESPONDENT

AND:

KRUGER INC.

SECOND RESPONDENT

AND:

DEER LAKE POWER COMPANY LIMITED

THIRD RESPONDENT

AND:

THE TOWN OF DEER LAKE

FOURTH RESPONDENT

AND:

HER MAJESTY THE QUEEN IN RIGHT
OF NEWFOUNDLAND AND LABRADOR

FIFTH RESPONDENT

ORDER

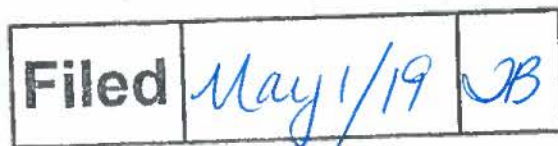
Before: the Honourable Justice Gale Welsh, the Honourable Justice Francis P. O'Brien, and the Honourable Justice William H. Goodridge.

Whereas:

The Appellants filed an appeal of the decision of the application judge, Justice David Hurley, on the grounds that Justice Hurley erred in interpreting the applicable legislation relied on by the First Respondent, with the result that the Appellants' proposed class action against the First Respondent was stayed in error.

The appeal was heard on November 21, 2018.

The Court heard submissions from Raymond Wagner, Q.C., Bob Buckingham and Maddy Carter,



counsel for the Appellants; Thomas O'Reilly, Q.C. and Richard Gosse, counsel for the First Respondent; Steve Penney, counsel for the Fourth Respondent; and Philip Osborne and Jessica Pynn, counsel for the Fifth Respondent.

The judgment of the Court was given with written reasons on March 19, 2019, 2019 NLCA 14.

Accordingly, it is ordered that:

1. The appeal is allowed; and
2. There is no order as to costs.

Dated at St. John's, Newfoundland and Labrador this ^{March} 19 day of ~~May~~ 2019.



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