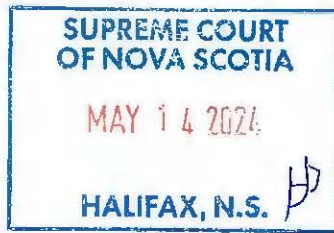


Form 78.05

2020



Hfx No. 498376

SUPREME COURT OF NOVA SCOTIA

Between:

ERICA SURETTE

Plaintiff

-and-

NORTHWOODCARE GROUP INC., a body corporate, incorporated in the Province of Nova Scotia; **NORTHWOOD HOMECARE INC.**, a body corporate, incorporated in the Province of Nova Scotia; **NORTHWOOD HEALTH SERVICES**, a body corporate, incorporated in the Province of Nova Scotia; **NORTHWOODCARE HALIFAX INC.**, a body corporate, incorporated in the Province of Nova Scotia; **NORTHWOOD SUPPORT SERVICES INC.**, a body corporate, incorporated in the Province of Nova Scotia; **NORTHWOODCARE REALTY INC.**, a body corporate, incorporated in the Province of Nova Scotia; **5534 ALMON STREET INC.**, a body corporate, incorporated in the Province of Nova Scotia; **2641 NORTHWOOD TERRACE INC.**, a body corporate, incorporated in the Province of Nova Scotia; **NORTHWOOD HOMECARE AGENCY**, a body corporate, incorporated in the Province of Nova Scotia; **NORTHWOOD IN TOUCH PERSONAL EMERGENCY RESPONSE**, a body corporate, incorporated in the Province of Nova Scotia; **THE ATTORNEY GENERAL OF NOVA SCOTIA**, representing His Majesty the King in right of the Province of Nova Scotia

Defendants



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

Order for Discontinuance

BEFORE THE HONOURABLE JUSTICE FRANK P. HOSKINS

THIS MOTION was made by the Plaintiff for an order discontinuing the within action as against the Attorney General of Nova Scotia without costs, pursuant to section 38(1) of the *Class Proceedings Act*, SNS 2007, c 28;

UPON READING the Notice of Motion and the evidence and submissions filed by the Plaintiff;

AND UPON IT APPEARING that the Attorney General of Nova Scotia consents to the discontinuance of the within action without costs;

AND UPON IT APPEARING that the proposed class action will continue as against the remaining Defendants;

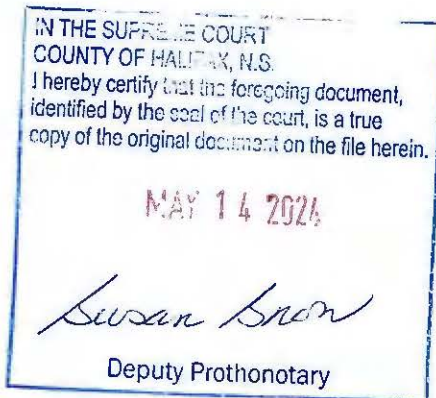
IT IS HEREBY DECLARED AND ORDERED that:

- 1) The within action is hereby discontinued as against the Attorney General of Nova Scotia without costs pursuant to the *Class Proceedings Act*, SNS 2007, c 28, s 38(1); and
- 2) Counsel for the Plaintiff will disseminate the Notice of Discontinuance attached hereto as Schedule "A" in accordance with the notice plan attached hereto as Schedule "B".

Dated *May 14th*, 2024

Susan Snow
Prothonotary

SUSAN SNOW
Deputy Prothonotary



SUSAN SNOW
Deputy Prothonotary

Schedule "A"

**NOTICE OF DISCONTINUANCE OF THE
NORTHWOOD COVID DEATHS CLASS ACTION AS AGAINST THE PROVINCE IN
*Erica Surette v. Northwoodcare Group Inc. et al., Hfx. No. 498376***

*, 2024

**PLEASE READ CAREFULLY. IGNORING THIS NOTICE MAY AFFECT YOUR
LEGAL RIGHTS**

A proposed class action was commenced on June 1, 2020 following the deaths of residents due to COVID-19 or COVID-19 complications of the Northwood long term care facility located at Northwood Terrace in Halifax between March 15 to June 30, 2020.

The proposed class consists of the executors or administrators of the estates of the deceased residents, or family members who are entitled to bring an action under the *Fatal Injuries Act*, RSNS 1989, c 163.

The named defendants were a group of related companies that operate, manage, and supervise the provision of long-term care at the facility (the "Northwood Defendants") and the Attorney General of Nova Scotia (the "Province"). The Province was named as a party to the action on March 15, 2022. Prior to this time, a tolling agreement was entered into by the parties, suspending the running of the limitation period for claims against the Province. The limitation period is the amount of time one has to start a legal action.

The class action has not yet been certified. A motion for certification is scheduled for November 18 and 19, 2024 in Halifax.

Please be notified that the proposed class action against the Province has been discontinued. This means the claim against the Province will not be proceeding. The Court has approved this discontinuance. The proposed class proceeding will continue against the Northwood Defendants.

The limitation periods applicable to all Class Members as against the Province had been suspended since April 15, 2021. The limitation periods re-commence running upon the date of issuance of the Order discontinuing the proposed class action against the Province. **As a result, any legal action you may wish to pursue against the Province relating to the subject matter of this action is now subject to an active limitation period.** In the event that you wish to pursue further legal action against the Province relating to the subject matter of this action, you should speak with a lawyer.

If you have questions about this notice please contact Wagners by email at classaction@wagners.co or by telephone at 1-800-465-8794 / 902-425-7330.

This Notice has been approved by the Supreme Court of Nova Scotia

Schedule “B”
Discontinuance Notice Plan

Notice of discontinuance of *Erica Surette v. Northwoodcare Group Inc. et al.*, Hfx. No. 498376 as against the Province, in the form attached as Schedule “A” and subject to approval of the Court (the “Notice”), shall be disseminated by the following means:

Direct Notice

1. Within ten (10) days of the issuance of the Order for Discontinuance, Wagners will send, via email where possible, and otherwise by mail, the Notice directly to all individuals known to Wagners who have expressed interest in the proposed class proceeding. Where the person specifically requests it, the Notice will be sent in English and French.
2. The Notice will be provided by Wagners to any person who requests it.

Indirect Notice

1. Wagners will post the Notice on its website (www.wagners.co) on a page dedicated to this proposed class proceeding.
2. The Notice will be printed in English in no less than a one-eighth page advertisement in the weekend print edition of the Chronicle Herald within ten (10) days of the issuance of the Order for Discontinuance.