

Federal Court



Cour fédérale

Date: 20181220

Docket: T-1685-16

Toronto, Ontario, December 20, 2018

PRESENT: The Honourable Madam Justice McDonald

BETWEEN:

**JANET MERLO AND LINDA GILLIS
DAVIDSON**

Plaintiffs

and

HER MAJESTY THE QUEEN

Defendant

ORDER

UPON motion in writing on behalf of the Defendant under Rule 369 of the *Federal Court Rules*, SOR/98-106 for an Order pursuant to Article 6.03 of the Settlement Agreement that the Honourable Marion J. Allan be appointed as an additional assessor to provide for the timely assessment of claims made under the Settlement Agreement;

AND UPON considering the motion materials filed on behalf of the Defendant including the Affidavits of Deanna Wissman sworn on November 16, 2018 and November 27, 2018;

AND UPON considering the responding materials filed on behalf of the Plaintiff Linda Davidson;

AND UPON hearing submissions from legal counsel for all parties by teleconference on December 17, 2018;

AND UPON noting that all parties consent to the appointment of an additional assessor;

AND UPON also noting that the Plaintiff Linda Davidson raises concerns over the timely administration of claims and the roles and duties of the additional assessor;

AND UPON advising the Plaintiff that any issues with respect to the administration of claims and the roles and duties of the assessor are more properly addressed by the Plaintiff filing a motion accordingly;

AND UPON being satisfied that an additional assessor will assist in the timely assessment of claims made under the Settlement Agreement;

THIS COURT ORDERS that:

1. Pursuant to Article 6.03 of the Settlement Agreement the Honourable Marion J. Allan is appointed as an additional Assessor; and
2. No costs are payable on this motion.

"Ann Marie McDonald"

Judge