

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE) TUESDAY, THE 15TH DAY
JUSTICE BELOBABA) OF DECEMBER, 2020

BETWEEN:

KIONNA HORNER

Plaintiff

- and -

PRIMARY RESPONSE INC. and GARDA CANADA SECURITY CORPORATION

Defendants

Proceeding under the *Class Proceedings Act, 1992*

**ORDER
- CLASS COUNSEL FEE APPROVAL AND CPF LEVY-**

THIS MOTION, made by the Plaintiff for an Order approving the payment of legal fees and disbursements of Goldblatt Partners LLP (“Class Counsel”), an honorarium to the Representative Plaintiff, and payment of disbursements and levy to the Class Proceedings Fund (“CPF”) was heard this day by video conference.

WHEREAS the Court approved the Settlement Agreement between the parties pursuant to the *Class Proceedings Act, 1992*;

ON READING the materials filed, and on hearing the submissions of Class Counsel;

1. **THIS COURT ORDERS** that, in addition to the definitions used elsewhere in this Order, for the purposes of this Order, the definitions set out in the Settlement Agreement apply to and are incorporated into this Order;
2. **THIS COURT ORDERS** that in the event of a conflict between this Order and the Settlement Agreement, this Order shall prevail;
3. **THIS COURT ORDERS** that the retainer agreement entered into by the Representative Plaintiff and Class Counsel dated August 20, 2018 (the “Retainer Agreement”) is hereby approved;
4. **THIS COURT ORDERS** that the fees plus applicable taxes of Class Counsel in the amount of \$725,000.00 plus HST of \$94,250.00 are hereby approved and shall be paid from the settlement funds;
5. **THIS COURT ORDERS** that Class Counsel disbursements in the amount of \$4,086.45 and taxes thereon are hereby approved and shall be paid from the settlement funds;
6. **THIS COURT ORDERS** that an honorarium of \$7500.00 (all inclusive) to the Representative Plaintiff, Kionna Horner is approved and shall be paid from the settlement funds; and
7. **THIS COURT ORDERS** that the CPF shall be reimbursed for disbursements paid in the amount of \$96,727.58 from the settlement funds;
8. **THIS COURT ORDERS** that the CPF shall receive a levy in the amount of \$183,140.12 from the settlement funds pursuant to Reg. 771/92.

Signed: *Justice Edward P. Belobaba*

Notwithstanding Rule 59.05, this Judgment [Order] is effective from the date it is made, and is enforceable without any need for entry and filing. In accordance with Rules 77.07(6) and 1.04, no formal Judgment [Order] need be entered and filed unless an appeal or a motion for leave to appeal is brought to an appellate court. Any party to this Judgment [Order] may nonetheless submit a formal Judgment [Order] for original signing, entry and filing when the Court returns to regular operations.

HORNER
Plaintiff

PRIMARY RESPONSE INC., et
al.
Defendants

Court File No.: CV-603648-CP

ONTARIO
SUPERIOR COURT OF JUSTICE

PROCEEDING COMMENCED AT TORONTO

Proceeding under the *Class Proceedings Act, 1992*

ORDER
(FEES APPROVAL AND CPF LEVY)

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