

No. C965349
Vancouver Registry

In the Supreme Court of British Columbia

Between

Anita Endean, as representative plaintiff

Plaintiff

and

**The Canadian Red Cross Society,
His Majesty the King in Right of the Province of
British Columbia, and The Attorney General of Canada**

Defendants

and

**Prince George Regional Hospital, Dr. William Galliford,
Dr. Robert Hart Dykes, Dr. Peter Houghton,
Dr. John Doe, His Majesty the King in Right of Canada, and
His Majesty the King in Right of the Province of BC**

Third Parties

Proceeding under the *Class Proceedings Act*, R.S.B.C. 1996, C. 50

**ORDER MADE AFTER APPLICATION
(TO EXTEND THE TIME TO FILE THE 2022 FINANCIAL SUFFICIENCY REVIEW APPLICATION AND
TO RESCIND THE PROTOCOL – TEMPORARY MEASURES RELATED TO THE COVID-19 PANDEMIC)**

BEFORE THE HONOURABLE
CHIEF JUSTICE HINKSON

)
) July 4, 2023

ON THE APPLICATION of the British Columbia Joint Committee member dated June 23, 2023 before the Honourable Chief Justice Hinkson in writing, and the Attorney General of Canada, His Majesty the King in Right of the Province of British Columbia and British Columbia Fund Counsel all having been served with the application materials;

ON BEING ADVISED that the Attorney General of Canada, British Columbia Fund Counsel and His Majesty the King in Right of the Province of British Columbia do not oppose this order;

UPON READING the materials filed, including the Affidavit #46 of Heather Rumble Peterson made June 21, 2023;

THIS ACTION BEING STAYED AGAINST the defendant the Canadian Red Cross Society by the Order of Mr. Justice Blair made on July 20, 1998 in Ontario Superior Court of Justice Action No. 98-CL-002970 (Toronto) and subsequently extended by further orders made on August 18, 1998, October 5, 1998, January 18, 1999, May 5, 1999, July 28, 1999 and February 25, 2000;

AND THIS ACTION BEING STAYED AGAINST the third parties Prince George Regional Hospital, Dr. William Galliford, Dr. Robert Hart Dykes, Dr. Peter Houghton and Dr. John Doe by order of Justice K. Smith, made May 22, 1997;

THIS COURT:

1. Orders that the time to file the triennial financial sufficiency review motion under Article 10.01(1)(i) of the January 1, 1986 - July 1, 1990 Hepatitis C Settlement Agreement for the three (3) year period ending December 31, 2022 be extended to November 30, 2023;
2. Declares that, effective 12:01 am EDT August 1, 2023:
 - (a) the Court-Approved Protocol - Temporary Measures Related to the COVID-19 Pandemic shall no longer be in force and effect, except as hereinafter provided;
 - (b) the timeline provided for Tracebacks pursuant to the mandatory timeline requirement of section 5(b) of the Court-Approved Protocol - Traceback Procedure Criteria shall resume running; and

(c) extensions of time to take any action required by the Plans created under the 1986-1990 Hepatitis C Settlement Agreement may only be granted to class members or claimants who had applied pursuant to the Protocol - Temporary Measures Related to the COVID-19 Pandemic prior to August 1, 2023.

3. Orders that a notice be posted on the 1986 – 1990 Hepatitis C Class Action Settlement Website and the HCV Late Claims Benefit Plan Website for at least two (2) weeks prior to August 1, 2023 advising that the Protocol - Temporary Measures Related to the COVID-19 Pandemic will no longer be in force and effect, except as it pertains to applications for extension of deadlines made before that date.

4. Declares that the terms of this Order shall not be effective unless and until judgment/orders with no material differences are obtained from the Superior Court of Québec and the and the Superior Court of Ontario.

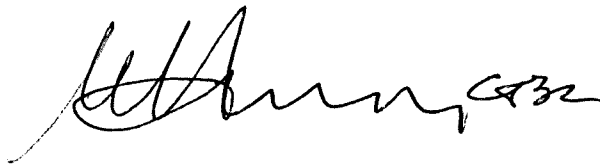
THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:



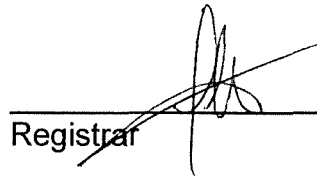
Signature of British Columbia
Joint Committee Member

David Loukidelis, KC

Chya R. Mogerman, signing for
David Loukidelis, KC with permission.



By the Court



Registrar

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ORDER MADE AFTER APPLICATION

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VIA COURT AGENT

L.M.F.