



Court file # 98-CV-141369

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE MR. JUSTICE ) THURSDAY, THE 29<sup>TH</sup> DAY  
PAUL PERELL ) OF JUNE, 2023

BETWEEN:

DIANNA LOUISE PARSONS, deceased  
by her Estate Administrator, William John Forsyth,  
MICHAEL HERBERT CRUICKSHANKS,  
DAVID TULL, MARTIN HENRY GRIFFEN, ANNA KARDISH,  
ELSIE KOTYK, Executrix of the Estate of Harry Kotyk, deceased  
and ELSIE KOTYK, personally

Plaintiffs

and

THE CANADIAN RED CROSS SOCIETY,  
HIS MAJESTY THE KING IN RIGHT OF ONTARIO  
and THE ATTORNEY GENERAL OF CANADA

Defendants

and

HIS MAJESTY THE KING IN THE RIGHT OF THE PROVINCE OF ALBERTA,  
HIS MAJESTY THE KING IN THE RIGHT OF THE PROVINCE OF SASKATCHEWAN,  
HIS MAJESTY THE KING IN THE RIGHT OF THE PROVINCE OF MANITOBA,  
HIS MAJESTY THE KING IN THE RIGHT OF THE PROVINCE OF NEW BRUNSWICK,  
HIS MAJESTY THE KING IN THE RIGHT OF THE PROVINCE OF PRINCE EDWARD ISLAND,  
HIS MAJESTY THE KING IN THE RIGHT OF THE PROVINCE OF NOVA SCOTIA,  
HIS MAJESTY THE KING IN THE RIGHT OF THE PROVINCE OF NEWFOUNDLAND,  
THE GOVERNMENT OF THE NORTHWEST TERRITORIES,  
THE GOVERNMENT OF NUNAVUT and THE GOVERNMENT OF  
THE YUKON TERRITORY

Intervenors

***Proceeding under the Class Proceedings Act, 1992***

Court File No. 98-CV-146405

BETWEEN:

JAMES KREPPNER, BARRY ISAAC, NORMAN LANDRY, as Executor  
of the Estate of the late SERGE LANDRY,  
PETER FELSING, DONALD MILLIGAN,  
ALLAN GRUHLKE, JIM LOVE and PAULINE FOURNIER  
as Executrix of the Estate of the late PIERRE FOURNIER

Plaintiffs

and

THE CANADIAN RED CROSS SOCIETY,  
THE ATTORNEY GENERAL OF CANADA and  
HIS MAJESTY THE KING IN RIGHT OF ONTARIO

Defendants

and

HIS MAJESTY THE KING IN THE RIGHT OF THE PROVINCE OF ALBERTA,  
HIS MAJESTY THE KING IN THE RIGHT OF THE PROVINCE OF SASKATCHEWAN,  
HIS MAJESTY THE KING IN THE RIGHT OF THE PROVINCE OF MANITOBA,  
HIS MAJESTY THE KING IN THE RIGHT OF THE PROVINCE OF NEW BRUNSWICK,  
HIS MAJESTY THE KING IN THE RIGHT OF THE PROVINCE OF PRINCE EDWARD ISLAND,  
HIS MAJESTY THE KING IN THE RIGHT OF THE PROVINCE OF NOVA SCOTIA,  
HIS MAJESTY THE KING IN THE RIGHT OF THE PROVINCE OF NEWFOUNDLAND,  
THE GOVERNMENT OF THE NORTHWEST TERRITORIES,  
THE GOVERNMENT OF NUNAVUT and THE GOVERNMENT OF  
THE YUKON TERRITORY

Intervenors

*Proceeding under the Class Proceedings Act, 1992*

**ORDER**

THIS MOTION made by the Joint Committee for an order extending the date for the filing of the triennial financial sufficiency review motion for the period ended December 31, 2022 and rescinding the Court-Approved Protocol - Temporary Measures Related to the COVID-19 Pandemic was heard in writing this day.

ON READING the material filed including the notice of motion and affidavit of Heather Rumble Peterson sworn June 21, 2023,

AND ON BEING ADVISED that this motion is on consent of the Plaintiffs, Canada and that the Intervenors and Ontario takes no position,

1. THIS COURT ORDERS that the date by which the financial sufficiency review motion is to be made pursuant to Article 10.01(1)(i) of the January 1, 1986 - July 1, 1990 Hepatitis C Settlement Agreement for the three (3) year period ended December 31, 2022 be and is hereby extended to November 30, 2023.

2. THIS COURT ORDERS 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. THIS COURT 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. THIS COURT DECLARES that the terms of this Order shall not be effective unless and until companion orders are issued by the Superior Court of Québec and the Supreme Court of British Columbia with no material difference.

*Perell, J.*

PERELL J.

*Eu entered on Jun, 30<sup>th</sup>, 2023.*

CV98CV141369CP00

PARSONS et al.  
KREPPNER et al.

Plaintiffs

vs. THE CANADIAN RED CROSS SOCIETY et al.

Defendants

Court File No. 98-CV-141369  
98-CV-146405

ONTARIO  
SUPERIOR COURT OF JUSTICE  
PROCEEDINGS COMMENCED AT TORONTO

**ORDER**  
**(Extension of filing deadline and rescission**  
**of Protocol - Temporary Measures Related to**  
**the COVID-19 Pandemic)**

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Lawyers appointed to the  
Joint Committee