

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE
JUSTICE P. PERELL

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FRIDAY, THE 4TH
DAY OF OCTOBER, 2019

BETWEEN:

SHARON HARPER and GERALD HARPER

Plaintiffs

- and -

AMERICAN MEDICAL SYSTEMS CANADA INC., AMERICAN MEDICAL SYSTEMS INC., and
ENDO PHARMACEUTICALS

Defendants

- and -

Court File No.: CV-15-529000-00CP

**ONTARIO
SUPERIOR COURT OF JUSTICE**

BETWEEN:

LINDA-SUE MIDDLETON and HOWARD BOSSCHER

Plaintiffs

- and -

AMERICAN MEDICAL SYSTEMS CANADA INC., AMERICAN MEDICAL SYSTEMS INC., and
ENDO PHARMACEUTICALS

Defendants

Proceedings under the *Class Proceedings Act, 1992*

**ORDER
(Approval of Class Counsel Legal Fees)**

THIS MOTION brought by the Plaintiffs for an Order approving the payment of Class Counsel
Legal Fees was heard this day, at Osgoode Hall, 130 Queen Street West, Toronto, Ontario.

ON READING the materials filed, on hearing submissions of counsel for the Plaintiffs, the Defendants taking no position on this motion:

1. **THIS COURT ORDERS** that, for purposes of this Order, except to the extent that they are modified in this Order, the definitions set out in the Settlement Agreement apply to and are incorporated into this Order.

2. **THIS COURT ORDERS** that Class Counsel Legal Fees are hereby approved in the amount of \$4,170,000.00 (plus applicable taxes), along with payment of \$255,006.83 (plus applicable taxes) in relation to incurred disbursements.

3. **THIS COURT ORDERS** that Class Counsel may bring further motions to this Court for approval of further Class Counsel Legal Fees in a total amount not to exceed \$1,000,000.00 (plus applicable taxes and additional disbursements incurred after September 11, 2019), of which \$500,000.00 may be requested when Class Members' claims are paid after the Initial Claim Deadline and \$500,000.00 of which may be requested at the conclusion of the administration of the settlement.

4. **THIS COURT ORDERS** that honouraria be paid to the Representative Plaintiffs from the Settlement Amount in the following amounts:

- Sharon Harper - \$10,000.00
- Gerald Harper - \$10,000.00
- Linda-Sue Middleton - \$5,000.00
- Howard Bosscher - \$5,000.00

6. **THIS COURT ORDERS** that a copy of this Order shall be posted on the Settlement Website.
7. **THIS COURT ORDERS** that the time for filing the motion record is abridged.

Perell, J.

THE HONOURABLE JUSTICE P. PERELL

HARPER ET AL v AMERICAN MEDICAL SYSTEMS CANADA INC, ET AL.
MIDDLETON ET AL v AMERICAN MEDICAL SYSTEMS CANADA INC, ET AL.

Court File No.: CV-15-527760-00CP

Court File No.: CV-15-529000-00CP

ONTARIO
SUPERIOR COURT OF JUSTICE

Proceeding commenced at London, ON
Transferred to Toronto, ON

Proceedings under the *Class Proceedings Act, 1992*

ORDER
(APPROVAL OF CLASS COUNSEL LEGAL FEES)

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