

Federal Court



Cour fédérale

Date: 20200908

Docket: T-2212-16

Citation: 2020 FC 885

Ottawa, Ontario, September 8, 2020

PRESENT: The Honourable Mr. Justice Phelan

CLASS PROCEEDING

BETWEEN:

**JESSICA RIDDLE, WENDY LEE WHITE
and CATRIONA CHARLIE**

Plaintiffs

and

HER MAJESTY THE QUEEN

Defendant

ORDER

UPON READING the motion record and the consent of the parties;

AND UPON being satisfied that the appointment is in the best interests of the Class and will not result in any additional expense to the Class nor any reduction in the benefits of the Settlement Agreement;

THIS COURT ORDERS that:

1. This Honourable Court's May 11, 2018 Order is amended such that Donna Cona Inc. [Donna Cona] is appointed to perform the following specific portions of the Administrator's duties as set out in the Settlement Agreement from the date of this Order:
 - a. receiving and responding to all enquiries received by phone for the validation of Individual Payment Applications (as set out in part at s 8.01(f) of the Settlement Agreement);
 - b. assisting Collectiva in responding to all enquiries by email respecting the validation of Individual Payment Applications (as set out in part at s 8.01(f) of the Settlement Agreement);
 - c. receiving and responding to all status enquiries received by phone respecting payment of compensation for valid Individual Payment Applications (as set out in part at s 8.01(g) of the Settlement Agreement);
 - d. assisting Collectiva in responding to all enquiries by email respecting payment of compensation for valid Individual Payment Applications (as set out in part at s 8.01(g) of the Settlement Agreement);
 - e. if contacted by phone by a Class Member or Eligible Class Member who expresses the desire to communicate in a language other than English or French, Donna Cona will make best efforts to accommodate him or her (as set out in part at s 8.01(h) of the Settlement Agreement);
 - f. help to maintain Collectiva's database with all information, including personal information, by updating it to reflect information received by

phone and email from Class Members and Eligible Class Members (as set out in part in s 8.01(i) of the Settlement Agreement);

g. provide personnel in such reasonable numbers as are required for the performance of the specific duties of Donna Cona, and training and instructing them in collaboration with Collectiva to fulfill these specific duties (as set out in part in s 8.01(d) of the Settlement Agreement).

2. An Order that Donna Cona and Collectiva (including their employees and/or subcontractors), will be allowed to access, use and share between themselves the personal information each has and will receive from applicants in the Sixties Scoop Settlement for the sole purpose of fulfilling the duties of their respective appointments under the Settlement Agreement.
3. The Defendant, Her Majesty the Queen in Right of Canada, pay Donna Cona its reasonable costs and disbursements in connection with the appointment.

“Michael L. Phelan”

Judge