

Federal Court



Cour fédérale

**Date: 20211117**

**Docket: T-2169-16**

**Citation: 2021 FC 1250**

**Ottawa, Ontario, November 17, 2021**

**PRESENT: The Honourable Mr. Justice Phelan**

**CLASS PROCEEDING**

**BETWEEN:**

**GARRY LESLIE MCLEAN,  
ROGER AUGUSTINE,  
CLAUDETTE COMMANDA,  
ANGELA ELIZABETH SIMONE SAMPSON,  
MARGARET ANNE SWAN AND  
MARIETTE LUCILLE BUCKSHOT**

**Plaintiffs**

**and**

**HER MAJESTY THE QUEEN IN RIGHT OF CANADA  
as represented by THE ATTORNEY GENERAL OF CANADA**

**Defendant**

**ORDER**

**WHEREAS** this Court issued the Orders of Settlement Approval and Fee Approval on August 19, 2019, and in doing so, approved that \$7,000,000 be payable in trust for post-implementation legal services provided by Class Counsel to Survivor Class Members;

**WHEREAS** the Order of Fee Approval, dated August 19, 2019, directs Class Counsel to seek this Court's approval on a quarterly basis to transfer a specified amount of money from trust to pay Class Counsel's fees, disbursements and applicable taxes;

**AND UPON** the Plaintiffs bringing the within motion in writing to approve payment of the legal fees, disbursements, and taxes for legal services performed by Class Counsel between January 1, 2021 to March 31, 2021;

**THIS COURT ORDERS that:**

1. The fees and disbursements, inclusive of HST, for post-Implementation legal services provided by Class Counsel between January 1, 2021 to March 31, 2021, is hereby approved in the amount of \$700,138.10; and
2. The above amount may be withdrawn from the funds held in trust as settled pursuant to Sections 13.02 to 13.04 of the Settlement Agreement and the Order of Fee Approval, dated August 19, 2019.

“Michael L. Phelan”  
Judge