

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE)	WEDNESDAY, THE 20 TH
)	DAY OF OCTOBER 2021
MR. JUSTICE BELOBABA)	

Court File. No.: CV-11-442584-00CP

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

GERALDINE CASSERES, Deceased, by her Estate Representative
JOANN CASSERES, JOANN CASSERES, and RUSSEL CHAUVIN

Plaintiffs

- and -

TAKEDA PHARMACEUTICAL COMPANY LIMITED, TAKEDA PHARMACEUTICALS
NORTH AMERICA, INC., TAKEDA PHARMACEUTICALS INTERNATIONAL, INC.,
TAKEDA GLOBAL RESEARCH & DEVELOPMENT CENTER, INC., TAKEDA SAN
DIEGO, INC., ELI LILLY CANADA INC. and TAKEDA CANADA, INC.

Defendants

Proceeding under the *Class Proceedings Act, 1992*

-and-

Court File No.: CV-13-491534-00CP

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

RANDOLPH CARRIER,
PETER NELSON and SHARON NELSON

Plaintiffs

-and-

APOTEX INC. and
SANDOZ CANADA INCORPORATED

Defendants

Proceeding under the *Class Proceedings Act, 1992*

ORDER

THIS MOTION made by the Plaintiffs in Court File No.: CV-11-442584-00CP and Court File No.: CV-13-491534-00CP (“the Ontario Actions”), on consent of the Defendants, for an Order permitting individuals who previously opted out of the consolidated and certified Ontario Actions to withdraw their Opt Out Forms, was heard on October 20, 2021, at Osgoode Hall, 130 Queen St. W., Toronto, Ontario.

ON READING the material filed, and on being advised that the Plaintiffs and the Defendants consent to this Order:

1. THIS COURT ORDERS AND DECLARES that, except to the extent they are modified by this Order, the definitions set out in the Settlement Agreement apply to and are incorporated into this Order.

2. THIS COURT ORDERS that any individual who previously opted out of the consolidated and certified Ontario Actions is hereby permitted to withdraw their Opt Out Form, by submitting a written notification to the Claims Administrator, CA2 Inc., either by electronic mail, regular mail, or courier. Any such written notification must set out the individual’s full name, mailing address and telephone number, must clearly express the individual’s intention to withdraw their previously filed Opt Out Form and must be signed and dated by that individual, or their legal representative.

3. THIS COURT ORDERS that a copy of this Order shall be posted on the Settlement website and delivered by the Claims Administrator to each individual who submitted an Opt Out Form prior to the Opt Out Deadline, by e-mail where possible and by regular mail otherwise.

4. THIS COURT ORDERS that all individuals who withdraw their previously filed Opt Out Forms (as well as their related Ontario National Family Class Members) shall be bound by the

Certification and Settlement Approval Orders previously issued by this Court, including the Claim Period deadline of November 29, 2021, as well as all other terms of the Settlement Agreement, as though they had not earlier opted out, and may not opt out of the Ontario Actions in the future.

5. THIS COURT ORDERS that in the event of a conflict between this Order and the terms of the Settlement Agreement, this Order shall prevail.

Signed: *Justice Edward Belobaba*

Notwithstanding Rule 59.05, this Judgment [Order] is effective and binding from the date it is made and is enforceable without any need for entry and filing. Any party to this Judgment [Order] may submit a formal Judgment [Order] for original signing, entry and filing when the Court returns to regular operations.

GERALDINE CASSERES, Deceased, et al.
Plaintiffs

v. TAKEDA PHARMACEUTICAL COMPANY LIMITED et al.
Defendants
Court File No.: CV-11-442584

ONTARIO
SUPERIOR COURT OF JUSTICE

PROCEEDING COMMENCED AT
TORONTO

ORDER

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