

Form 78.05

2004

SUPREME COURT OF NOVA SCOTIA

H.C. No. 218010

BETWEEN:

NEILA CATHERINE MACQUEEN, JOSEPH M. PETITPAS,  
ANN MARIE ROSS, and KATHLEEN IRIS CRAWFORD, N.S.

Plaintiffs

- and -

SYDNEY STEEL CORPORATION, a body corporate; THE ATTORNEY  
GENERAL OF NOVA SCOTIA representing Her Majesty the Queen in right of  
the Province of Nova Scotia; ~~CANADIAN NATIONAL RAILWAY COMPANY, a~~  
~~body corporate;~~ and  
THE ATTORNEY GENERAL OF CANADA representing Her Majesty the Queen  
in right of Canada.

Defendants

Order

Before the Honourable Justice John D. Murphy in Chambers

On the motion of Raymond F. Wagner, Counsel for the Plaintiffs, the following is  
ordered:

**WHEREAS** the Plaintiffs applied to this Court on the 16<sup>th</sup> day of  
September, 2010, for an Order for approval of the Solicitor and Client retainer  
agreement and for an Order for approval of a third party indemnity agreement.

**AND WHEREAS** the Motion was heard before the Honourable Justice  
John D. Murphy sitting as Case Management Judge on the 21st day of  
September, 2010.

**UPON READING** the affidavit of Neila Catherine MacQueen;

**UPON IT APPEARING** that the within matter is proceeding pursuant to  
the *Class Proceedings Act*, S.N.S 2007, c. 28;

**AND UPON IT APPEARING** that Neila Catherine MacQueen, Joseph M. Petitpas, Ann Marie Ross and Kathleen Iris Crawford are the Representative Plaintiffs of the Classes;

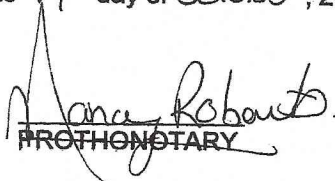
**AND UPON IT APPEARING** that the Representative Plaintiffs entered into a solicitor/client retainer agreement ("the Retainer"), effective June 2003, and a third party indemnity agreement ("the Agreement"), effective June 18, 2010, with BridgePoint Financial Services Limited Partnership IV ("the Indemnitor");

**AND UPON IT APPEARING** that the law firms of Wagners and Siskinds LLP ("Class Counsel"), executed a counterpart to the Agreement between the Representative Plaintiffs and the Indemnitor to acknowledge that they are bound to the terms found at Sections 1, 3 through 8 (inclusive), 9, 11 and 14;

**IT IS ORDERED:**

1. **THAT** the Retainer as between the Representative Plaintiffs and Class Counsel is hereby approved; and
2. **THAT** the Agreement as between the Representative Plaintiffs and the Indemnitor is hereby approved.

**DATED** at Halifax, Province of Nova Scotia, this 19 day of October, 2010

  
PROTHONOTARY

NANCY ROBERTS  
Deputy Prothonotary