



No. S-189260  
Vancouver Registry

In the Supreme Court of British Columbia

Between

HOLLY EMMETT

Plaintiff

and

APOTEX INC., LABORATORIOS LEÓN FARMA

Defendants

Brought under the *Class Proceedings Act*, R.S.B.C. 1996, c. 50

**ORDER MADE AFTER APPLICATION**

BEFORE } THE HONOURABLE JUSTICE LYSTER } 11/AUG/2023

**ON THE APPLICATION OF** Holly Emmett coming on for hearing before the Honourable Madam Justice Lyster at the Courthouse at 800 Smithe Street, Vancouver, British Columbia on August 11, 2023 by MS TEAMS; and on hearing Anthony Leoni, Anthony Tibbs, Jesse Kendall and Juliana Feltrin, articulated student, for the plaintiff Holly Emmett; Angus T. McKinnon for the Defendant Apotex Inc.; and Frank McLaughlin, Emilie Bruneau and Alex Little for the Defendant Laboratorios León Farma;

**ON READING** all materials filed and on hearing the submissions of counsel for the plaintiff, and the defendants taking no position;

**THIS COURT ORDERS** that:

1. The retainer agreement entered into with the representative plaintiff Holly Emmett is approved under the *Class Proceedings Act*, section 38;

2. A total maximum fee of up to \$549,030.07 (inclusive of taxes) on a claims made basis, is approved subject to the further fee approval hearing described at paragraph 4;
3. An interim fee payment of \$466,675.56 (inclusive of taxes) is approved and awarded to Rice Harbut Elliott LLP and Merchant Law Group LLP as Class Counsel payable as a first charge on the settlement funds;
4. A further fee approval hearing will be scheduled upon receipt of the Final Report from the Claims Administrator;
5. Disbursements of \$83,781.93 are approved and are payable to Rice Harbut Elliott LLP and Merchant Law Group LLP as Class Counsel as a first charge on the settlement funds;
6. An honorarium of \$1,500 is approved and awarded to Holly Emmett payable as a first charge on the settlement funds;
7. The legal fees, disbursements and taxes shall be paid from the settlement funds, pursuant to the terms of the Settlement Agreement.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER

  
\_\_\_\_\_  
Signature of Lawyer for the Class

  
\_\_\_\_\_  
Signature of Frank McLaughlin  
Lawyer for the Defendant Laboratorios  
Leon Farma

  
\_\_\_\_\_  
Signature of Angus T. McKinnon  
Lawyer for the Defendant Apotex Inc.

By the Court.

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Registrar