

Federal Court



Cour fédérale

Date: 20220601

Docket: T-1509-21

Vancouver, British Columbia, June 1, 2022

PRESENT: The Honourable Mr. Justice Manson

PROPOSED CLASS PROCEEDING

BETWEEN:

DUSTIN MCMILLAN

Plaintiff

and

HER MAJESTY THE QUEEN

Defendant

ORDER

UPON MOTION in writing filed April 20, 2022 on behalf of the Plaintiff, under Rule 369 of the *Federal Courts Rules*, for:

- a) an order that the within action shall proceed with Klein Lawyers LLP as counsel in the proposed class proceeding;
- b) an order that no other proposed class proceeding may be commenced in this Court in respect of the facts and allegations pleaded in the within action, without leave of this Court;
- c) the order be issued *nunc pro tunc* to the date on which this motion was filed;

d) the order may be reviewed upon motion of either party, by a non-party with leave of the Court or upon the Court's own motion; and

e) Such further relief that counsel may advise and this Honourable Court may permit;

AND UPON noting that the Defendant, by way of correspondence dated May 31, 2022, takes no position on the Plaintiff's motion;

AND UPON determining that it is in the interests of justice to grant the relief sought;

THIS COURT ORDERS that:

1. The within action shall proceed with Klein Lawyers LLP as counsel in the proposed class proceeding.
2. No other proposed class proceeding may be commenced in this Court in respect of the facts and allegations pleaded in the within action, without leave of this Court.
3. The Order may be reviewed upon motion of either party, by a non-party with leave of the Court or upon the Court's own motion.
4. The order is issued *nunc pro tunc* to the date on which the Plaintiff's motion was filed, namely April 20, 2022.

"Michael D. Manson"

Case Management Judge