



SUPERIOR COURT OF JUSTICE

Court House
361 University Avenue
TORONTO, ONTARIO M5G 1T3
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BY EMAIL; ORIGINAL FOR PICK-UP

September 11, 2018

Ms. Melissa Miller
Howie, Sacks & Henry LLP
Personal Injury Law
Suite 3500
20 Queen Street West
Toronto ON M5H 3R3

Dear Ms. Miller:

RE: Jones et al. v. Wellner et al - CV-16-554186-00CP

Enclosed is the executed Order with respect to the above-mentioned action being discontinued as a class action proceeding.

Also enclosed is a copy of my endorsement dated September 11, 2018.

Yours truly,

A handwritten signature in black ink, appearing to read "J Perell".

The Honourable Mr. Justice Perell

cc: *Elizabeth Bowker (Stieber Berlach LLP)*
Amani Oakley (Oakley & Oakley Professional Corporation)

ONTARIO
SUPERIOR COURT OF JUSTICE

THE HONOURABLE
JUSTICE PERELL

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Tuesday, THE 11th
DAY OF Sept., 2018

BETWEEN:

ARTHUR ROSS JONES, deceased, by his LITIGATION ADMINISTRATOR,
LORI-ANNE DEKERVOR, and LORI-ANNE DEKERVOR personally

Plaintiffs

- and -

THOMAS G. WELLNER (PRESIDENT & CEO of REVERA), WENDY GILMOUR (SENIOR VICE PRESIDENT, LONG TERM CARE of REVERA), REVERA, REVERA LONG TERM CARE, REVERA LONG TERM CARE INC., REVERA INC., REVERA RETIREMENT, REVERA RETIREMENT LP, GENPAR INC., REVERA RETIREMENT GENPAR INC., REVERA HEALTH SERVICES, REVERA HEALTH SERVICES (2010) INC., REVERA HEALTH SERVICES CLINIC GENPAR INC., REVERA HEALTH SERVICES CLINIC LP, REVERA HEALTH SERVICES HOMECARE GENPAR INC., REVERA HEALTH SERVICES INC., REVERA RETIREMENT, COMCARE HEALTH SERVICES, COMCARE, SUN MANAGEMENT SERVICES INC., SUNRISE SENIOR LIVING, REVERA ASSISTED LIVING INC., REVERA HEALTH SYSTEMS INC., REVERA HEALTH SYSTEMS MANAGEMENT LLC., REVERA HOLDINGS INC., REVERA HOLDINGS LTD., REVERA COMPANIES and COMMUNITIES listed with contact information as 55 Standish Court, 8th Floor, Mississauga, Ontario, and DOE CORPORATION (representing a number of corporations, companies, subsidiaries, wholly or partially owned/controlled corporate entities, retirement communities, nursing homes, assisted living and/or retirement residences, management companies, holding companies, incorporated entities, LP's, LLC's, related to, held, owned and/or controlled in whatever fashion by Revera Inc. or any of its related companies or subsidiaries)

Defendants

ORDER

THIS MOTION made by the Plaintiffs was read this day at the City of Toronto.

ON READING the Amended Notice of Motion, the Affidavit of Neil Oakley, sworn May 11, 2018, and on the consent of the parties, filed

1. **THIS COURT ORDERS** that the within action be and the same is hereby discontinued as a class proceeding;
2. **THIS COURT ORDERS** that the within action may continue as an individual proceeding;
3. **THIS COURT ORDERS** that the notice to the potential class members is to be given in the form attached to this Order as Schedule "A", and that such notice shall be given within 30 days of the date of this Order, as follows:
 - (a) a copy of the Notice shall be given to every media outlet who ran the story about this action proceeding as a class action;
 - (b) a copy of the Notice may be posted on the class action website of the Nursing Home Action Coalition, nursinghomeabuse.ca; and
 - (c) a copy of the Notice may be mailed to individuals who have contacted Oakley & Oakley PC, Howie, Sacks & Henry LLP and Diamond & Diamond about the class action.
4. **THIS COURT ORDERS** that costs are payable to the Defendants by the Plaintiffs in the amount of \$9,000 within 60 days of this Order.

Reed J

"Schedule A"

**IMPORTANT NOTICE TO PATIENTS AND/OR FAMILY MEMBERS OF PERSONS IN
THE CARE OF REVERA LONG TERM CARE**

The Proposed Class Action has been Discontinued

In July 2016 Arthur Ross Jones, by his Litigation Administrator, Lori-Anne DeKervor, commenced a proposed class action against Revera Long Term Care, alleging that Arthur Ross Jones' death was caused by the negligence of Revera Long Term Care. The Defendants listed in the Statement of Claim deny all of the allegations made against them in the claim.

Arthur Ross Jones and Lori-Anne DeKervor are not continuing with the proposed class action. They will instead be pursuing individual litigation. The Ontario Superior Court of Justice has approved the discontinuation of this class proceeding, and it will be dismissed effective on December 21, 2018.

Individual Lawsuits

While the proposed class action was pending, any limitation periods for starting individual actions against Revera Long Term Care were suspended.

YOU SHOULD TAKE NOTICE THAT once the Jones class action is discontinued, the limitation periods for bringing a claim of your own will start to run again. On the expiry of a limitation period, you may lose your right to sue. If you wish to pursue your own action, if you have not already done so, you should issue a Notice of Action or Statement of Claim.

PLEASE CONTACT THE NURSING HOME ACTION COALITION AT 1 (877) 506-NHAC to obtain more information about protecting your own rights to pursue your own claim. The law firms of Oakley and Oakley Professional Corporation, Howie, Sacks and Henry LLP, and Diamond and Diamond LLP, are pursuing individual actions on behalf of individuals and their families.

Publication of this Notice has been Authorized by the Ontario Superior Court of Justice.

ARTHUR ROSS JONES et al.

-and- THOMAS G. WELLNER et al.

Court File No. CV-16-554186-00CP

ONTARIO
SUPERIOR COURT OF JUSTICE

Proceeding Commenced at
Toronto

ORDER

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