

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE)
JUSTICE GRAY)

FRIDAY, THE 21ST
DAY OF JUNE, 2019

B E T W E E N:

MICHAEL BOZSIK
Plaintiff

and

LIVINGSTON INTERNATIONAL INC.
Defendant



Proceeding under the *Class Proceedings Act, 1992*

**ORDER
(Fee Approval)**

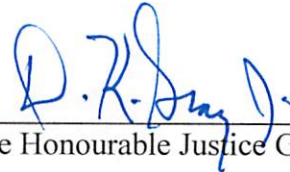
THIS MOTION, made by the Plaintiff for an Order approving the payment of legal fees of Sotos LLP, Roy O'Connor LLP, and Goldblatt Partners LLP (collectively "**Class Counsel**") and disbursements, and the payment of an honorarium to the Representative Plaintiff was heard this day at the Court House, 491 Steeles Avenue East, Milton.

ON READING all materials filed and on hearing the submissions of Class Counsel and *Amicus Curiae*:

1. **THIS COURT ORDERS** that the retainer agreement entered into by the Plaintiff and Class Counsel dated September 19, 2014 ("**Retainer Agreement**") is approved.

2. **THIS COURT ORDERS** that the fees plus applicable taxes of Class Counsel are approved.
3. **THIS COURT ORDERS** that the disbursements plus interest and applicable taxes of Class Counsel are approved.
4. **THIS COURT ORDERS** that fees, disbursements, interest and applicable taxes be paid from the settlement funds, pursuant to the terms of the Settlement Agreement dated February 1, 2019, entered into between the Plaintiff and Defendant.
5. **THIS COURT ORDERS** that legal fees of \$5,940,368.92, plus taxes of \$772,247.96 on fees, and disbursements of \$352,929.31, are awarded to Class Counsel.
6. **THIS COURT ORDERS** that the Class Proceedings Fund of the Law Foundation of Ontario (“Fund”) is entitled to a levy in the amount of 10% of the net settlement amount, to which the Class is entitled plus the amount of any outstanding disbursements awarded to the plaintiff which have not yet been repaid to the Fund, in accordance with section 10(3) of O. Reg. 771/92.
7. **THIS COURT ORDERS** that no amounts shall be distributed to any Class Member until the Class Proceedings Fund Committee has had an opportunity to review and confirm Class Counsel’s calculation of the levy. Where there is any dispute as to the calculation of the levy, this Court orders that the parties shall appear before the class action case management judge regarding any issues raised and that pending any appearance, no funds shall be disbursed.

8. **THIS COURT ORDERS** that the fees and disbursements of *Amicus Curiae* in the amount of \$27,776.30 shall be paid by the defendant (one quarter) and from the settlement funds (three quarters).



The Honourable Justice Gray

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JUN 21 2019

**SUPERIOR COURT OF JUSTICE
MILTON**

MICHAEL BOZSIK
Plaintiff

-and- **LIVINGSTON INTERNATIONAL INC.**
Defendant

Court File No. 5270/14

ONTARIO
SUPERIOR COURT OF JUSTICE

PROCEEDING COMMENCED AT MILTON

Proceeding under the *Class Proceedings Act, 1992*

ORDER
(FEE APPROVAL)

ROY O'CONNOR LLP
Barristers and Solicitors
200 Front Street West, Suite 2300
Toronto, ON N6A 3V8

David O'Connor (LSO#: 33411E)
J. Adam Dewar (LSO#: 46591J)
Tel: 416.362.1989
Fax: 416.362.6204

SOTOS LLP
180 Dundas Street West,
Suite 1200
Toronto, ON M5G 1Z8

Louis Sokolov (LSO#: 34483L)
Tel: 416.977.5333
Fax: 416.977.0717

GOLDBLATT PARTNERS LLP
Barristers and Solicitors
1100-20 Dundas Street West
Toronto, ON M5G 2G8

Daniel Iny (LSO#: 48535F)
Louis Century (LSO#: 66582C)
Tel: 416.362.1989
Fax: 416.362.6204

Lawyers for the Plaintiff