

Cayuga File Nos. CV-21-00000003-00CP and
CV-21-00000012-000

ONTARIO
SUPERIOR COURT OF JUSTICE

CASE MANAGEMENT ENDORSEMENT # 2

SHORT TITLE OF PROCEEDINGS:

POORKID INVESTMENTS INC. et al v. ONTARIO et al

Counsel for the Plaintiffs/Applicants: W. Peter Murray

Counsel for the Defendants/Respondents: Dan Huffaker

DATE: July 27, 2021 - by conference call

Second Case Management Conference held today in accordance with letter from RSJ Sweeny dated March 12, 2021 appointing me as the designated Class Proceedings Judge and the Case Management Judge in proceeding CV-21-00000003-00CP.

1. The Plaintiff Poorkid Investments Inc. (plaintiff in proceeding CV-21-00000003-00CP) together with The Coach Pyramids Inc. and Brian Haggith (the "Applicants") have brought an Application under file number CV-21-00000012-000 (the "constitutional proceeding") seeking a declaration, *inter alia*, that s. 17 of the *Crown Liability and Proceedings Act, 2019* (the "Act") is unconstitutional and of no force and effect.
2. The Applicants have served their Application Record and Factum on the Respondents in that proceeding. The Respondents have filed an Appearance in the proceeding.
3. On consent, the following directions are given in respect of the conduct of the constitutional proceeding:

- (a) The Respondents shall complete their cross-examination of David Thompson on his Affidavit filed in support of the Application by August 20, 2021;
 - (b) The Respondents shall deliver their responding Application Record and Factum by September 24, 2021. The responding Application Record shall not include any affidavit material without leave of the court;
 - (c) The Applicants shall deliver any Supplementary Factum within 10 days of receipt of the Respondents' Application Record and Factum;
 - (d) Following completion the foregoing the parties shall contact the Trial Coordinator at Cayuga to set a date or dates for argument of the Application.
4. On consent, the directions given pursuant to Case Management Endorsement # 1 dated March 19, 2021 respecting the proposed motion under s. 17 of the Act are vacated.

Effectiveness of Endorsement

5. This Endorsement shall be effective as an order of the Court without the necessity for preparation of a formal order.



D.A. Broad, J.