

HISTORICAL ABUSE CLASS ACTIONS IN CHRONOLOGICAL ORDER OF CERTIFICATION DATE

CASE	DEFENDANT(S)	CLAIM ISSUED	CERTIFICATION DATE	WHETHER DEFENDANT CONSENTED TO CERTIFICATION	OPT-OUT	COURT APPROVED SETTLEMENT	DEADLINE FOR CLAIMS	DAMAGES TOTAL + INDIVIDUAL RANGES	LEGAL FEES
<i>Johnston v The Sheila Morrison Schools</i> 2010 ONSC 3334; 2013 ONSC 1528 Sheila Morrison School for learning disabilities (Utopia, Ontario)	The Sheila Morrison Schools and Scott Morrison	May 27, 2009	June 7, 2010	Yes.	October 5, 2010	March 12, 2013	Initial: June 11, 2013 Extended : August 15, 2013	\$4 million total; up to maximum \$50,000 per class member	\$1,118,499.64 (including disbursements and HST)
<i>Dolmage v Ontario/ Slark v Ontario</i> 2010 ONSC 1762; 2013 ONSC 6686; 2017 ONSC 4178 *Huronian Regional Centre 2017: Decision regarding subsequent Motion of application of settlement funds	HMQO	<u>Amended</u> statement of claim: December 8, 2008	July 28, 2010	Yes, in part. The Province objected to the suitability of the plaintiffs' litigation guardians, and the temporal range and scope of the plaintiffs' claims.	June 30, 2011	December 3, 2013	Initial: August 5, 2014. Extended: November 30, 2014	\$35 million total; \$2,000-\$35,000 per class member Average payment was \$3,711 ¹	\$8,538,944.59 (including disbursements and HST)
<i>Clark v Ontario/ McKillop v Ontario</i> 2014 ONSC 1282 *Rideau Regional Centre	HMQO	September 24, 2010	August 19, 2011	Yes.	June 19, 2012	February 24, 2014	Initial: August 5, 2014 Extended: November 30, 2014	\$20,619,000 total; up to maximum of \$35,000 per class member	\$5,125,877.12 (including disbursements and HST)
<i>Bechard v Ontario</i> 2014 ONSC 1282 (settlement approved with <i>Clark/McKillop</i>) *Southwestern Regional Centre²	HMQO	December 29, 2010	August 19, 2011	Yes.	June 19, 2012	February 24, 2014	Initial: August 5, 2014. Extended: November 30, 2014	\$12,081,000 total; up to maximum of \$35,000 per class member	\$2,960,439.06 (including disbursements and HST)

¹ In *McIntyre (Litigation Guardian of) v. Ontario* 2016 ONSC 2662, Justice Belobaba commented that the average individual compensation for the Huronia, Rideau and Southwestern class actions was \$3,711.00 (para 22).

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Seed v Ontario 2012 ONSC 2681; 2017 ONSC 3534 *Ross MacDonald School (formerly Ontario School for the blind)	HMQO	February 22, 2011 <u>Amended</u> statement of claim: January 24, 2012	May 4, 2012	No.	April 1, 2013	June 7, 2017	November 7, 2017	\$8 million total; up to maximum \$37,500 per class member. Note: the take-up rate was 10% with average compensation of \$16,285 for a total of \$2,947,585, referenced by Perell J in <i>Welsh v Ontario</i> 2018 ONSC 3217, see below.	\$2,520,000 (plus disbursements and HST)
Brown v Canada 2013 ONSC 5637; 2018 FC 641; 2018 ONSC 3429 Sixties Scoop	Canada	March 1, 2017	September 27, 2013	Yes.	October 31, 2018	As of June 22, 2018 Belobaba J did not approve settlement because of the legal fees. Federal Court did approve settlement (requires both to be approved). As of August 9, 2018, both ONSC and Federal Court approved settlement.	August 30, 2019	\$800 million total as omnibus settlement for active sixties scoop class actions; Up to maximum of \$25,000 and any residue distributed amongst class members up to \$50,000.	Plaintiff's counsel sought \$75 million in legal fees (Belobaba J rejected).
Cavanaugh v Grenville Christian College	Grenville Christian College, Synod of	January 17, 2008 <u>Amended</u> <u>Amended</u> <u>statement of</u>	February 24, 2014	No.	December 28, 2014	Trial of common issues held September 16, 2019.	N/A	N/A	N/A

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2014 ONSC 290; 2020 ONSC 1133	the Diocese of Ontario, Charles Farnsworth, Betty Farnsworth, Estate of Alastair Haif and Mary Haig	<u>Claim</u> : March 15, 2010				Plaintiffs won the common issues trial. 2020 decision determined that the case is to be remitted to the class action case management judge for next steps in the litigation process. Note defendants have appealed, argued May 4 th , 2021 and reserved.			
<i>Clegg v Ontario/ McIntyre v Ontario</i> 2016 ONSC 2662 Prince Edward Heights, L.S. Penrose, Durham Centre for Developmentally Handicapped, D'Arcy Place, Bluewater Centre, Pine Ridge, Oxford Regional Centre, Adult Occupational Centre (Edgar), Northwestern Regional Centre, Muskoka Centre, Midwestern Regional Centre, St. Lawrence Regional Centre	HMQO	June 16, 2014 <u>Amended</u> statement of claim: August 20, 2015	August 20, 2015	Yes.	April 15, 2016	April 25, 2016	Initial: February 28, 2017 Extended: April 28, 2017	\$35,989,646.66 total; up to maximum of \$42,000 per class member	\$3,700,000.00 (including disbursements and HST)
<i>Welsh v Her Majesty the Queen</i> 2016 ONSC 5319; 2018 ONSC 3217; 2019 ONCA 41 Provincial Schools for the Deaf	HMQO	August 10, 2015 <u>Amended</u> statement of claim: August 26, 2016	August 23, 2016	Yes.	September 1, 2017	July 9, 2018	October 24, 2018	\$15 million total; up to maximum \$37,500 per class member.	\$.4,237,500 (including HST and disbursements); Note: Perell J decision with \$1.5 million of costs to be donated to charity. 2019:

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2018 decision reversed in 2019, regarding class councils legal fees and donation								Note: Perell J referenced 10% take up rate for <i>Seed v Ontario</i> .	Class counsel's fees of \$3.75 million were approved on condition that class counsel would donate \$1.5 million of its fees to charity for deaf that was to be approved by motion judge. Plaintiff appealed disposition of class counsel's fees, appeal allowed. Motion judge erred in making his approval of class counsel's fees subject to charitable donation condition that he imposed, particularly in absence of submissions from parties. the motion judge's May 24, 2018 order approving class counsel's legal fees is set aside. The matter is remitted for a new hearing before a different judge on the class action list of the Superior Court of Justice (at para 17).
<i>Templin v Ontario</i> 2016 ONSC 7853 Child and Parent Resource Institute (London, Ontario) *CPRI Class Action	HMQO	February 22, 2016	December 22, 2016	Yes.	October 20, 2017	N/A	N/A	N/A	N/A
<i>Papassay v Ontario</i> 2017 ONSC 2023; 2021 ONSC 3817 Crown Ward Also referred to as <i>Grann et al. v. HMQ in Right of the Province of Ontario</i> Crown Ward Class Action (Children who suffered abuse before and while they were Crown wards, including in	HMQO	January 22, 2014 Amended statement of claim: March 24, 2014	March 31, 2017	No.	March 11, 2018	Motion to approve settlement heard, J Pearson dismissing settlement approval, rendered on May 26, 2021	N/A	3,000 to 3,600	N/A

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foster care and foster homes, and while in the care of the Children's Aid Society ("CAS"). *newest version not yet on CanLII									
<i>McKay v. Ralph Rowe et al.</i> Not reported. Ralph Rowe R Rowe found guilty in criminal proceedings R. v. Rowe, 2009 CarswellOnt 4444, 84 W.C.B. (2d) 494 And R. v. Rowe, 2007 CarswellOnt 4870, [2007] O.J. No. 2971, 74 W.C.B. (2d) 204	Rowe, Scouts Canada, Synod of the Diocese of Keewatin	May 11, 2017	June 11, 2018	Unknown.	September 22, 2018	N/A	N/A	N/A	N/A
<i>Doucet v Royal Winnipeg Ballet</i> 2018 ONSC 4008; 2019 ONSC 6982 Heard in 2019 regarding motion for refused questions- dismissed	Royal Winnipeg Ballet School, Bruce Monk	November 17, 2016; <u>Amended</u> statement of claim: September 13, 2017	June 27, 2018	No.	November 20, 2018	N/A	N/A	N/A	N/A
Victims of Frère Jean-Paul Thibault Not reported.	Frère Jean-Paul Thibault, Collège St-Hilaire	March 5, 2015	Unknown.	Unknown.	Unknown.	February 1, 2016	July 5, 2016	Between \$55,000-\$110,000 per class member	Unknown.
<i>Gutierrez v. The Watchtower Bible and Tract Society of Canada et al.</i> 2019 ONSC 3069; 2019 ONSC 3880 *Watchtower	Watch Tower Bible and Tract Society of Canada, Watch Tower Bible and Tract Society of	September 23, 2019	*motion pending jurisdiction, affidavit, and joinder reapplications						

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	Pennsylvania, and Watchtower Bible and Tract Society of New York, Inc.								
<i>Keeping v. Her Majesty the Queen (Ontario)</i> 2019 ONSC 2044 *Ontario Training Schools	HMQO	2018 MOTION by class counsel for order approving form and content of notice of certification and order approving litigation timetable. Granted April 1, 2019	November 30, 2018	No.	June 4, 2020				Defendant to pay \$65,000 to the Plaintiff for costs of the motion for certification
<i>Berg v. Canadian Hockey League</i> 2020 ONSC 6389	Canadian Hockey League, the Ontario Hockey League, the Western Hockey League, the Quebec Major Junior Hockey League	2017	April 27, 2017	Yes.		J Perell dismissed the approval of the settlement, the Distribution Protocol, Class Counsels' fees and the request for honoraria. October 22, 2020			