

Court File No. CV-08-362807-CPA2

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE  
JUSTICE BELOBABA

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)

WEDNESDAY, THE 20<sup>TH</sup> DAY  
OF FEBRUARY, 2013

**MICHAEL CANNON**

Plaintiff

- and -

**FUNDS FOR CANADA FOUNDATION, MATT GLEESON and SARAH STANBRIDGE  
as trustees for the DONATIONS CANADA FINANCIAL TRUST, PARKLANE  
FINANCIAL GROUP LIMITED, TRAFALGAR ASSOCIATES LIMITED,  
TRAFALGAR TRADING LIMITED, APPLEBY SERVICES BERMUDA LTD. as trustee  
for the BERMUDA LONGTAIL TRUST, EDWIN C. HARRIS Q.C., PATTERSON  
PALMER also known as PATTERSON PALMER LAW, PATTERSON KITZ (Halifax),  
PATTERSON KITZ (Truro), McINNES COOPER, SAM ALBANESE, KEN FORD,  
RIYAD MOHAMMED, DAVID RABY, GREG WADE, GLEESON MANAGEMENT  
ASSOCIATES INC., MARY-LOU GLEESON, MATT GLEESON and MARTIN P.  
GLEESON**

Defendants

- and -

**GACICH FINANCIAL ENTERPRISES INC., TAD GACICH, LIFE PLANNING LTD.,  
LORNE ALLEN, 4 SIGHT MGMT SYSTEMS, PAUL IANNICCA, 6152091 CANADA  
INC., BELAL UDDIN, ALBERT FRIAS, ALEX N. KOLAPAK, ALEXSANDRA  
OCHOCINSKA, ALLAN HARPER, ANDREW HAYES, BRIAN W. LEITCH,  
CHARMAINE BUCKNOR, CHRISTOPHER LIBBEY, DANIEL TIFFIN, DANNY  
RISTESKI, DAVID BRODIGAN, DAVID J. ASHWORTH, DEBORAH T. LO, DELAIR  
KITTANI, DENIS THIBERT, DENNIS COWAN, DOMENIC FALCONE, the ESTATE  
OF DONALD R. REYNOLDS, DECEASED, DONNA RAMPHAL, DWAIN WILEY,  
ERIC HARRISON, FRANCIS DOLAR-ANGUE, FRANCIS SABOURIN, FRANCOIS  
RTOUX, FREDERIC TREMBLAY, GARRY SCHULTZ, GEORGE STEPHENS, GLEN  
LANCASTER, GORDON CLARKE, GRACE DOBRZYNSKI, IAN LALIBERTE, JACK  
ROBINSON, JAMES MATTHEWS, JAMES REDEKOP, JAVEED MALIK, JEAN  
BARIL, JENNIFER ST DENIS, JIM LEMOIRE, JOHANMOSAHEB, JOHN BRYANT,  
JOHN PALMER, JOHN STEVENS, JONATHAN KUZMICZ, KATHLEEN BRENNEN,  
KEN ROMANOWSKI, KEITH RENDALL, KINNELL INS. & FINANCIAL INC., JIM  
KINNELL, KRISTA SEAMAN, KOZAK KACHNIARZ INC., LAMA OKHTERLONE,  
LORRAINE SCHULTZ, LUDMILA PIROGOVA, MACDONALD SHYMKO & CO.,**

MARCEL COUILLARD, MARGOT ADAM-BROCKIE, MARIO CORRIVEAU, MARK SPURRELL, the ESTATE OF MICHELE DUBE, DECEASED, MIKE ANSARI, MOHINDER PHARWAHA, MONEYSRAT FINANCIAL SERVICES LTD., NANCY LACASSE, NBV MANAGEMENT, NARINDER S. MANN, NICK GLASSOW, NORM HUNDLEBY, NORMAN L. THACKERAY, PATRICK L. KEITH, PAUL BAKER, PAUL DUNLOP, PAUL J. MCKINLEY, PAUL MANCUSO, PAUL MANGION, PERLITA ANCHETA, PASCAL LAMONTAGENE, PETER TAM, PETER TAVENER, RAY LAURENT, RAZIYA MUKHOMEDZYA, REGINA ALLEN, REJEAN GELINAS, RENE BURKE, RICHARD CARRIERE, RICHARD DAUPHINAIS, RICHARD JULIEN, RICHARD PIOTROWSKI, ROBERT NICHOLSON, ROLAND DESAULNIERS, ROSANNA DESENSI, ROSS LIBBEY, SCOTT MCNEIL, SERGE AFI-BEE, SERGE FRECHETTE, STEPHAN HEADLEY, STEPHANE HARDY, SUBHASH MUKHI, TAX NETWORK CORPORATION, TERRY MCNEIL, THOMAS DREW, TIM SMALL, TONY YOUNG, VICTORIA INKSTER, WAYNE BULLARD, WEALTH MIND FINANCIAL INC., ELENA IVANOVA, IRENE DEVEAU, 1326510 ONTARIO LTD., GARRY HAZELWOOD, 1518042 ONTARIO INC., CONSUMER ALTERNATIVE SOLUTIONS, SIMON TAM, 1681888 ONTARIO INC, JOE HANRAHAN, 3098327 NOVA SCOTIA LIMITED, MICHAEL KRON, 3634205 CANADA INC., SHY KURTZ, 4017455 CANADA INC., PHILIP LAS SMAN, ALAIN DURAND, 4908342 MANITOBA LTD., JOHN FAHIE, 594245 AB LTD., BERT SENECHAL, 625356 N.B. INC., MARK PURAI, 6407927 CANADA LTD., ERICA KELLY, JOHN MONTEITH, NIGEL PURAI, MICHAEL MANHERTZ, PETER J. MINOTT, GUS MASOUD, 6425674 CANADA INC., PAUL GAGNE, ALAIN VILLEMARM, FRANK CAMBRIDGE, 0737253 BC LTD., TRACEY CAMBRIDGE, DAVID WORRALL, 890858 ONTARIO INC., STEPHANE HARDY, 9193-9447 QUEBEC, VINCE CICCONE, 990616 ONTARIO INC., A.V. BRULE, ALBERT BRULE, ANN BRULE, ABBY FRANGIONE, BRENDON D. NANDALAL, ABM FINANCIAL SERVICE, DANIEL RBEAUME, CPN FINANCIAL, LAWRENCE CHANG, EDUARDO FAGIOLI, N. CHARLES HENRIQUES, RICHARD JONES, SHIRLEY ALEXANDER, ABUNDANT LIFE STRATEGIES, ALBERT OUELLETTE, ACTION SATISFACTION CONSULTING, W.J. SAMARODEN, CATHERINE ALLISON, BILL MACKAY, ADVANTAGE BUSINESS SERVICES INC., ADVANTAGE WEALTH SYSTEMS INC., BOBBY MACKAY, ALICE PANAGOPOULOS, ALVAREZ ST-GELAIS, AMY HOLLOWAY, ANDRE LACHAPELLE, GESTION GOLDENCHASE 2000 INC., MARC ANDRE LACHAPELLE, FRANCOIS-SIMON GAUTHIER, MARTIN GAUTHIER, MICHEL GAUTHIER, ROGER GOSSELIN, SEBASTIEN BRUNELLE, ANNE-MARIE MCGRATH, RYAN BOND, AURORA. CAPITAL PLANNERS INC., JACK COHEN, AUTOMATED FINANCIAL SERVICES CANADA INC., WEALTHMASTERS, DAVID ROUNTHWAITE, AZONTINI MACLEAN ROUNTHWAITE, DAVID G. ROUNTHWAITE FINANCIAL SERVICES LTD., BOB LLOYD, ROBERT (BOB) BALLARD, BIANCA SYKORA, BRADEN MACKINNON, BRENDA BELL, BRENDA WEBSTER, BRETT PITBLADO, BRIAN MARLING, GORDON MORRISON, BROKERAGE HOUSE FINANCIAL GROUP, PAUL BOWSER, GARY FADER, HAROLD LEWIS, BRIAN PENTZ, KENT READING, ELIZABETH WHYTE, ESTELLE LA GRENADE, PATRICIA TAYLOR, RANDY STEVENS, JOHN WELLS, BUD AZZOPARDI, BELINDA BUTLER, DAVID B. BUTLER CONSULTING INC.,

PHILLIP BUTLER, BUTLER CAPITAL MANAGEMENT GROUP INC., IKE OYAMA, C.D.M.I., CARMEN REGAN, CESAR LAUPER, CHARLES DYKE, CHARLES GOGUEN, PETER J. MINOTT, CHARTER 2 ENTERPRISES, ERICA KELLY, CHRIS BISKUPSKI, CHARLES VANDER GRIENDT, CMV FINANCIAL CORP., DAVID MACKENZIE, CORY KIRKBRIDE, WES SIMONS, CPN FINANCIAL SERVICES, RYAN D'SOUZA, CROSSROADS FINANCIAL SOLUTIONS INC., ROBERTO LLOREN, REYNOLDS REYES, DOUGLAS KING, D. KING HOLDINGS LTD., MIKE CYR, DADS' CLASSIC ENTERPRISES LTD., DALLAS ROOT, DAN NOONAN, NOONAN FINANCIAL SERVICES, DAVID ABBOTT, DAVID FUDGE, DENIS NADEAU, 3897591 CANADA INC., JOSEPH DITZEND, DITZEND FINANCIAL, LARRY BEATON, DONATIONS MAKE CENTS, DOUG CLARKE, MUTUAL VICTORY MANAGEMENT INC., DOUG WILLIAMSON, DOUGLAS BROPHY, DOUGLAS BROPHY FINANCIAL SERVICES, MICHAEL EDWARDS, ROBERT DEAN, EDC TAX & TRUST SERVICES, JOANNE EDWARDS, ELSEBETH HANSSON, EMILY TUCKER, ERROL PATTERSON, EPBR CONSULTING INC., TONY (ANTONIO) IAFIGLIOLA, EQUICAPITAL INVESTMENT COUNSEL INC., TREVOR HUGHES, ESL FINANCIAL LIMITED, BERNIE DOCKRILL, BEVERLEY CURRIE, DOUG CURRIE, JOHN DOEHLER, DAVID PARISH, BRIAN PENTZ, IRENE MERLINE, RANDY STEVENS, JANE M. WALDRON, RICHARD K. BRUGGER, FALCONCREEK CONSULTING, DAVID ABBOTT, VERN FAUTH, FAUTH FINANCIAL GROUP LTD., ARCHIE ROBERTSON, FFI FIRST FRUIT INVESTMENTS INC., LAURIE PARKER, TIM RAMSAY, FINANCIAL DESIGN GROUP INC., DONALD T FRANCIS, FINANCIALLY FREE BY 23 INC., BRIAN K. MCWILLIAMS, FRANCISCO MACAPAGAL, FOUNTAINHEAD FINANCIAL CORP., FRANK DI MARCO, NJM CAPITAL CONSULTANTS INC., GEORGE GADULA, GADULA FINANCIAL, GARRY ROY, GAP FINANCIAL SERVICES, DANIEL LEBLANC, GUY LAVIGNE, MICHEL B. LEBLANC, JACOB INCOME TAX SERVICES INC., ANGELA COLLETTE, BERNISE LEBLANC, GAR SERVICES FINANCIERS INC., RACHEL LAVIGNE, GEORGE GENTILE, GENTILE & ASSOCIATES, GEORGE SHIELDS, GERARD SENECHAL, GEORGE STEPHENS, QUEENSBURY STRATEGIES, GERARD WHITE, GILBERT LI, GILBERT LI & ASSOCIATES, WAYNE GILLIS, GILLTAM LTD., GABRIELE MOUSSA, GLOBAL FOCUS STRATEGIES INC., ADRIAN BOYKO, GLOBAL PACIFIC, MATT GLEESON, GLEESON MANAGEMENT ASSOCIATES INC., GREG WADE, KENNETH EDWARD FORD, DAVID RABY, GREGORY JAMES DOIRON, HARI S. NESATHURAI, HARI S. NESATHYRAI PROFESSIONAL CORPORATION, HELENE GENDRON, HENRY REINELT, LENN I-PERRITT, HERMIT INCOME TAX MANAGEMENT LTD., HERRIT CAPITAL CORP., MARINA HUMBLE, HFS (AURORA) LTD., KWOK SING CHEUNG, HUGO PACIFIC FINANCIAL INC., JOHN REATH, INDEPENDENCE PLANNING BROKERAGE INC., IPB INC., JEFFREY REATH, ERIC CLARK, IN TEGRUS MARKETING GROUP, JACK RICHARDSON, JAMES (JIM) CYR, JAMIE CHAPPELL, JAMES CHISHOLM, JAMES PETERS, JASON COULIS, JEAN-GUY ST-PIERRE, COLIN M. PAYNE, JENNIFER ROYEA, JEREMY WRIGHT, JOCELYN G. DESCHENES, JOE SIGANSKI, JOHN A. HORNE, JOHN MCLELLAN, JOSEF ESTABROOKS, JOY STATHAM, JUSTIN DAY, JIM KINNELL, KINNELL INS & FINANCIAL INC., KEN BATEMAN, KEN TOPNIK, K396 ENTERPRISES LTD.,

TONY GILCHRIST, KENDAL GROUP INC., KEITH BATES, KEVIN METER, CHRIS ALVES, KINDLE FINANCIAL LTD., ANDREW JAKUBIZ, JEAN-FRANCOIS ROCHELEAU, KRITERIUM, KURT PITBLADO, KARL J LARSON, LARSON FINANCIAL, LAWRENCE HINDLE, BRIAN SMITH, LEGACY WEALTH MGMT INC., JULES BOSSE, L.I. JUAN LTEE, L.E ENTEK LTEE, ARMEL DRAPEAU, JEAN-LOU PITRE, JEAN-PHILIPPE PERETTI, PIERRE EMOND, REJEAN LESSARD, LINDSEY PECK, LISE ELAM, LORI A. SABEAN, CHRISTOPHER TASCHNER, LPC ASSOCIATES, DOUG MACLEAN, MACLEAN INSURANCE AGENCY, DOUG MACLEAN INSURANCE, MARC-ANDRE POULIOT, MARCEL BEAULIEU, M&M EXTINGUISHERS, PIERRE EMOND, MARIGEN INC, KLAUS ZABEL, MARKETING CONCEPTS GROUP INC, GERRY MCALPINE, MCALPINE REALTY LTD., MERVYN FRIED, MJF FINANCIAL CONSULTANTS LTD., MICHEL SENECHAL, N. CHARLES HENRIQUES, NADINE WELLWOOD, NADIE WELLWOOD, NORMAND GIGUERE, BEV EMBRO-PANTALONY, 6425674 CANADA INC., ALAIN VILLEMAIRE, PAUL BAIN, PAULINE MURPHY, BRENT HARKER, PEER FINANCIAL, RHONDA-LEE RATHWELL, PETER MISINCHUK, PETER MISINCHUK & ASSOCIATES, PHILIP KUNG, ROBERT I TENNANT, PROCRIIS ENTERPRISES LTD., AIME GRENIER, PROVIDENCE GROUP, GARY WARD, R486 ENTERPRISES LTD., MAUREEN BAULNE, KEN DOEGE, RAYMOND GIGUERE, 2130839 ONTARIO. INC., ALBERT RESNICK, RESNICK & COMPNAY, RICHARD B. BROUILLARD, RICHARD D. JONES, RICK TONE, RICHARD WIGHTMAN, ROBERT BATES, ROBERT BERGERON, ROBERT W. SAINTONGE, ROCCO FRANGIONE, ROD BAKER, RYAN HANSEN, ALINE SAINTONGE, S & L TRANSACTIONS LIMITED, SALENA TSANG, SAMUEL SAINTONGE, GILLES BRINE, SCORPION HOLDINGS LTD., MICHEL NAZAIR, SCOT RYAN, SEIJA YOUNG, SELVIN G. MATHEW, GEORGE MATHEW & ASSOCIATES, JACQUES ALLARD, SERVIPLAN CONCEPT INC., SHERREE LOCKYER, SITKO FINANCIAL LTD., BELINDA BUTLER, RICHARD CHARTRAND, BRADEN MCKINNON, SUKHDEV SOHI, HAROLD POWER, SOLOMON FINANCIAL, JIM POWER, PAUL LULA, SOURCEPOINT BUSINESS, 1094573 ONTARIO INC., STEPHEN D. BEAUMONT, RICK GOZDEK, STERLING GROUP CORP., 1090871 ALBERTA LTD., BRAD RICHARDSON, ACTION SATISFACTION CONSULTING, A-LIFE FINANCIAL SERVICES, RICHARD G. ANDRUSIAK, BEYER CONSULTING LTD., CHARLES BASIL, DAN BARTON, SUSAN BLAKEY, DAVE BLANCHARD, SHARON CARPENTER, DAVID CRABB, VIDA DAVEY, DAVID DYCK, ROSS FAIRLIE, EUGENIO JAY FALCONE, ALAN FAREY, REG KARPOW, DOUGLAS KING, RICHARD LEHWALD, GILBERT LI, MARCEL MAH, KIRK RAFUSE, JACK RICHARDSON, S.G. SOLUTIONS INC., LEN ZIELKE, RICH SOBKOWICH, SERRIL GUNN, CHARLES OLIVIER, STRATEGIC FINANCIAL SOLUTIONS, GLORIA JOAQUIN, JOSEPHINE GUTIERREZ, SUSAN POELSTRA, PRIYA BATCHELOR, SYNERGY WEALTH MANAGEMENT INC., STEPHEN FREEDMAN, SZF INVESTMENTS MANAGEMENT INC., CLAIR GREEN, T.G.A INVESTMENTS INC., FOREVER GREEN VENTURES INC., BILL ANDERSON, TAX MANAGEMENT SOLUTIONS INC., KIRK MCINTYRE, KEN SPURLING, TAX SHELTERS INTERNATIONAL INC., ALEX CHAN, FRANK. CAMBRIDGE, TRACEY CAMBRIDGE, NEIL FRIESEN, GLOBAL PACIFIC FINANCIAL SERVICES LTD.,

TREVOR GRAY, CHRIS JAMES, MERIT ALTERNATIVE INVESTMENTS,  
 SHELDON STIER, LUELLA R. STUART, KEN SUTYLA, TERRI NOBLE, TERRY  
 DEMPSEY, KEVIN GRAY, RYAN GRAY, THE ASLAN GROUP, NESTOR FOSTEY,  
 RICHARD SMITH, THE FINANCIAL DOCTOR, RENE PAPIN, THE R. PAPIN  
 INSURANCE AGENCY, BARB PAPIN, THOMAS Q. ELEIZEGUI, TIM KLEIN,  
 PETER BILODEAU, EMTRA BUSINESS SERVICES INC., TRUSTED FINANCIAL,  
 GUY A. RAYMOND, W. EVAN MORRISON, W. JAMES MACLEAN, W. JAMES  
 MACLEAN FINANCIAL SERVICES, WADE HOFFMAN, PARKLANE ADVANTAGE,  
 WAYNE G. SPROXTON, CENTRAL ALBERTA FINANCIAL PLANNERS LTD.,  
 WAYNE KINNEE, WAYNE MALLETT, WAYNE MALLETT ASSOCIATES LTD.,  
 DAVID UDY, WEALTH CO. FINANCIAL ADVISORY SERVICES, SHEN,  
 WOLOSHEN & ASSOCIATES, YASMIN ROSS, ROSS YASIM, and GARGALA  
 ZDZISLAWA

Third Parties

*Proceeding under the Class Proceedings Act, 1992*

**ORDER**

**THIS MOTION** made by some of the Third Party Defendants (Distributors) for an order to extend the opt-out deadline for the Third Party Defendants who are also Class Members.


**UPON HEARING** submissions of counsel for some of the Third Party Defendants;

**AND UPON** being advised that the plaintiffs and defendants do not oppose the motion;

1. **THIS COURT ORDERS** that class members who have been named as Third Party defendants in Third Party claims commenced by any defendant may opt out of the class proceeding up to 60 days after the final disposition of any motions brought that deal with the status or stay of the Third Party claims or other relief relating thereto, subject to any further order of the court.

2. **THIS COURT FURTHER ORDERS** that Class Counsel should provide notice of this change to the distributors and that this notice may be provided via email.

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FEB 22 2013

AS DOCUMENT NO.:  
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 PER / PAR: *mm*

Court File No: CV-08-362807 CPA2

Life Planning Ltd et al

and

Funds for Canada Foundation et al

and

Michael Cannon

Third Parties

Defendants

Plaintiff

**ONTARIO  
SUPERIOR COURT OF JUSTICE**  
Proceeding commenced at TORONTO

**ORDER**

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Toronto, ON M5H 2K1  
  
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Lawyers for the Third Parties