

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE

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THURSDAY, THE 18TH

JUSTICE PERELL

DAY OF MAY, 2023

BETWEEN:

I.P. and M.P.

Plaintiffs

- and -

**JESUIT FATHERS OF UPPER CANADA (a.k.a. ENGLISH CANADA
PROVINCE), ROMAN CATHOLIC EPISCOPAL CORPORATION OF THE
DIOCESE OF SAULT STE. MARIE, THE ROMAN CATHOLIC BISHOP OF
SAULT STE. MARIE, ESTATE OF FATHER GEORGE EPOCH, and ESTATE
OF BROTHER O'MEARE**

Defendants

Proceeding under the *Class Proceedings Act, 1992*

ORDER

THIS MOTION, brought by the Plaintiffs for leave to discontinue this action without costs, pursuant to s. 29 of the *Class Proceedings Act, 1992*, s.o. 1992, c.6, was heard in writing on May 15, 2023, or a day shortly thereafter.

ON READING the Notice of Motion, the Factum of the Moving Party, the Affidavit of Christopher Simoes, sworn May 15, 2023, the Consent and draft Order approved as to form and content,

AND ON CONSENT OF THE PARTIES,

1. THIS COURT ORDERS that leave is hereby granted and this action is hereby discontinued.

2. THIS COURT ORDERS that Merchant Law Group LLP shall post on its firm's website and have published in *The Manitoulin Expositor* and in the national issue of the *Globe and Mail* the following notice:

NOTICE OF DISCONTINUANCE OF CLASS ACTION RELATING TO ALLEGATIONS OF SEXUAL ASSAULT AGAINST CHILDREN AT THE HOLY CROSS MISSION IN WIKWEMIKONG, ONTARIO.

PLEASE READ THIS NOTICE CAREFULLY. IT MAY AFFECT YOUR LEGAL RIGHTS.

On March 11 2015, pursuant to the *Class Proceedings Act, 1992*, a proposed class action was commenced in Toronto with Action No. CV-15-523669CP.

The action was brought against: (a) the Jesuit Fathers of Upper Canada; (b) the Roman Catholic Episcopal Corporation of the Diocese of Sault Ste. Marie; (c) the Roman Catholic Bishop of Sault Ste. Marie; (d) the Estate of Father George Epoch; and (e) the Estate of Brother O'Meare.

The action was brought on behalf of (a) all persons who were abused as children by clergy or staff of the Holy Cross Mission in Wikwemikong, Ontario; and (b) all parents, spouses, children, and siblings of the abused persons.

This Notice is to advise you that this proposed class action has been discontinued. The Ontario Superior Court of Justice has approved this discontinuance. The discontinuance of this action means that the proposed class action is not going forward.

If you are a person for whom the proposed class action was originally commenced and you have any questions, then you should obtain independent legal advice from a law firm other than the Merchant Law Group.

THIS NOTICE HAS BEEN AUTHORIZED BY THE ONTARIO SUPERIOR COURT OF JUSTICE.

3. THIS COURT ORDERS that Merchant Law Group LLP shall deliver a copy of the Reasons for Decision to the twenty-nine putative Class Members who have settled and released their claims against the Defendants.

4. THIS COURT ORDERS that there will be no costs of this motion and no costs of this action.

Perell, J.

I.P. and M.P.
Plaintiffs

Jesuit Fathers of Upper Canada et al.
And Defendants

Court File No.: CV-15-523669 00CP

**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at Toronto

ORDER

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