

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

DARRYL SOMERVILLE

PLAINTIFF

AND:

CATALYST PAPER CORPORATION

DEFENDANT

Brought Pursuant to the Class Proceedings Act

AFFIDAVIT

I, Chris Ferguson, Barrister & Solicitor of 700 – 1006 Beach Avenue, in the City of Vancouver, Province of British Columbia, MAKE OATH AND SAY AS FOLLOWS:

1. I am, with Murray Tevlin and Dan Gleadle, counsel for the plaintiff and as such have knowledge of the facts and matters hereinafter deposed to except where the same is stated to be made on information and belief, and where so stated I verily believe the same to be true.
2. In late 2009, the plaintiff contacted our firm regarding proposed changes to his employment. These changes were to take effect January 1, 2010. Some of the purported changes would apply to all of the defendant's permanent non-union employees and some would apply to those permanent non-union employees that were members of defined contribution pension plans.
3. Subsequently, in early 2010, Mr. Somerville advised us that in addition to the changes that had then been unilaterally imposed as of January 1, 2010, the defendant was refusing to pay eligible employees an annual bonus component known as the STIP.

4. In February, 2010, we met with a group of affected employees, including Mr. Somerville, to discuss these issues. From this meeting and our review of the relevant documents, we determined that the legal issues facing this group included several issues which were common to each of them and to a larger group of employees.

5. I was advised by Mr. Somerville that it would be awkward for him to seek individual legal redress from the defendant while he was still employed by the defendant.

6. From my review of the claims set out in this action, I believe that this action includes a number of common issues (Classes A, B and C are as defined in the Notice of Application):

Class A

- a. During the period from January 1, 2009 to December 31, 2009, did the defendant employ the members of the class on the basis that if certain targets were met, bonuses would be payable to each class member?
- b. What were the corporate targets which, if achieved, would require a STIP payment to class members?
- c. What were the divisional targets which, if achieved, would require a STIP payment to class members?
- d. Were such targets achieved?
- e. If the targets were achieved, is there any lawful basis for the defendant not to make the STIP payments?
- f. What was the available pool of funds to pay out the aggregate STIP awards?
- g. If the available pool of funds is insufficient to pay out the aggregate STIP awards, what is the method for paying out the available funds on a pro-rata basis?

- h. On what principle should individual entitlements be assessed by reason of the defendant's refusal to pay STIP for 2009 service?

Class B

- a. Did the contracts of employment of each member of Class B require the defendant to provide notice of any material reduction in the value of employment benefits?
- b. If so, did the defendant materially reduce benefits without notice effective January 1, 2010?
- c. If notice was required to materially reduce benefits, what is the method for determining the required amount of notice?
- d. If so, on what principle should damages be assessed by reason of the defendant's unilateral reduction of benefits without notice?

Class C

- a. Did the contracts of employment of each of the members of Class C require the defendant to provide notice of any material change to the defined benefit pension rights of class members?
- b. If so, did the defendant materially change the pension rights of defined benefit class members?
- c. If notice was required to make material changes in the pension rights of defined benefit class members, what is the method for determining the required amount of notice?
- d. If so, on what principle should damages be assessed from the defendant's refusal to allow class members to continue to accumulate pensionable service in defined benefit pension plans?

7. Since the commencement of this action, our firm has created a dedicated page on our website to provide information to the defendant's employees regarding the status of this action. To date, we have received several inquiries from current and past employees of the defendant arising from our publication on our website.

8. To my knowledge, the defendant has distributed documents to its employees directing employees to our website for information regarding this action.

9. Based on my review of the document and the way in which the STIP bonus plan was administered, I estimate that employee's potential STIP claims would be in the range of \$1,000 to \$10,000 per eligible employee.

10. Regarding the claims based on the rollback of benefits and the termination of the defined benefit pension plan, the defendant has estimated that it saved \$4.2 Million annually by making these changes. While we do not know the precise number of employees that were affected by these changes, Mr. Somerville estimated that there were approximately 388 employees that were eligible to participate in the STIP. Because the criteria for participation in the STIP appears to be the same criteria as participation in the relevant benefits, the average saving per employee arising from the January 2010 rollback is \$10.825 per year.

11. While individual entitlement arising from these various claims will be different, the average aggregate claim appears to be in the range of \$20,000 to \$30,000 per employee. However, some employee's claims may be under \$2,000.

12. If individual employees were to commence separate actions for these claims, some employees claims would be within the small claims jurisdiction and some would be within the monetary jurisdiction of the Supreme Court. Furthermore, there are 6 geographic locations where the various employees work and/or reside. Individual claims might be commenced in 6 different Supreme Court registries and 6 different Provincial Court registries.

13. Regarding the claim relating to the termination of the defined benefit pension plan, quantification will almost certainly require the use of expert actuarial evidence. Our firm has

relationships with several such actuaries whom we have retained to assist in similar claims in the past. These actuaries typically charge in the range of \$300 - \$400 per hour. Our plan for this claim as a class action would involve retaining actuaries only to review the calculation methodology of the defendant's actuaries. This would result in a significant savings to the plaintiffs as the cost this reduced level of engagement would be applied to the benefit of the entire class.

14. Our firm has experience in prosecuting employment related class action lawsuits in British Columbia. Peter Gregg et al v. Freightliner et al., SCBC Vancouver Registry L021149 is an example of a class action involving a pension dispute that resulted in successful claims for class members.

15. I am advised by Mr. Somerville that he is prepared to vigorously prosecute these claims as a representative. Based on my knowledge of Mr. Somerville's claims and the proposed classes, I am not aware of any conflict between his interests and the common interests of the proposed classes except insofar as the quantification of the STIP claims may involve a pro-rata reduction of all claims if the available pool of funds is inadequate to pay all claims in full.

16. Attached as Exhibit "A" to this affidavit is a proposed form of Order for certification which includes a draft Notice to Class Members as well as proposed Opt In and Opt Out notices.

17. Attached as Exhibit "B" to this affidavit is a true copy of a Case Management Plan developed by Dan Gleadle, Murray Tevlin and myself.

18. Included in the Case Management Plan is a proposal for ADR. Based on my review of the nature of the claims, the legal basis for the claims is rather settled law and the issues are amenable to negotiated settlement. If this action were certified, the defendant would then be in a position to enter into ADR with the ability to negotiate a binding settlement with all potential claimants.

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

DARRYL SOMERVILLE

PLAINTIFF

AND:

CATALYST PAPER CORPORATION

DEFENDANT

Brought Pursuant to the *Class Proceedings Act*

CERTIFICATION ORDER

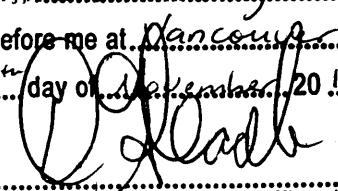
BEFORE THE HONOURABLE) THURSDAY, THE ___ DAY
MR. JUSTICE KELLEHER) OF FEBRUARY, 2011

THE APPLICATION of the plaintiff for certification under the *Class Proceedings Act*, RSBC 1996, c. 50, coming on for hearing before me at Vancouver, British Columbia on February 14th and 15th, 2011, and upon hearing ..., counsel for the plaintiff. AND counsel for the defendant;

AND UPON READING the pleadings and proceeding as well as the following affidavits sworn and filed herein:

1. Affidavit of Darryl Somerville, sworn November 26, 2010;
2. Affidavit of Chris Ferguson, sworn November 26, 2010;

This is Exhibit "A" referred to in the affidavit of Chris Ferguson sworn before me at Vancouver this 26th day of November, 2010.



.....
A Commissioner for taking Affidavits
for British Columbia

THIS COURT ORDERS THAT:

1. this action is certified as a class proceeding;
2. the following are established as classes:
 - a. all persons that were permanent non-union employees of the defendant in 2009 and that were eligible to participate in a bonus remuneration program known as the Short Term Incentive Plan (“STIP”) (“Class A”);
 - b. all persons that were employed by the defendant in a permanent non-union position on January 1, 2010 and who at that time lost employment benefits pursuant to a unilateral decision by the defendant to reduce benefits without notice (Class B”);
 - c. all persons that were members of a defined benefit pension plan for the defendant’s non-bargaining employees on December 31, 2009 (“Class C”).
3. The following issues are common issues:

Class A

- a. During the period from January 1, 2009 to December 31, 2009, did the defendant employ the members of the class on the basis that if certain targets were met, bonuses would be payable to each class member?
- b. What were the corporate targets which, if achieved, would require a STIP payment to class members?
- c. What were the divisional targets which, if achieved, would require a STIP payment to class members?
- d. Were such targets achieved?

- e. If the targets were achieved, is there any lawful basis for the defendant not to make the STIP payments?
- f. What was the available pool of funds to pay out the aggregate STIP awards?
- g. If the available pool of funds is insufficient to pay out the aggregate STIP awards, what is the method for paying out the available funds on a pro-rata basis?
- h. On what principle should individual entitlements be assessed by reason of the defendant's refusal to pay STIP for 2009 service?

Class B

- a. Did the contracts of employment of each member of Class B require the defendant to provide notice of any material reduction in the value of employment benefits?
- b. If so, did the defendant materially reduce benefits without notice effective January 1, 2010?
- c. If notice was required to materially reduce benefits, what is the method for determining the required amount of notice?
- d. If so, on what principle should damages be assessed by reason of the defendant's unilateral reduction of benefits without notice?

Class C

- a. Did the contracts of employment of each of the members of Class C require the defendant to provide notice of any material change to the defined benefit pension rights of class members?

- b. If so, did the defendant materially change the pension rights of defined benefit class members?
 - c. If notice was required to make material changes in the pension rights of defined benefit class members, what is the method for determining the required amount of notice?
 - d. If so, on what principle should damages be assessed from the defendant's refusal to allow class members to continue to accumulate pensionable service in defined benefit pension plans?
4. Darryl Somerville is hereby appointed as representative plaintiff of all three classes.
5. The nature of the claims asserted by the class as against the defendant are for debt and breach of contract, including cancellation of the defined benefit pension plan, failure to pay STIP payments for 2009, and rollback of pay and benefits.
6. the relief sought by the class is for recovery of:
 - a. judgment for 2009 STIP;
 - b. general and special damages;
 - c. costs pursuant to section 37 of the *Class Proceedings Act*, R.S.B.C. 1996, c. 50;
 - d. interest pursuant to the Court Order Interest Act, R.S.B.C. 1996, c. 79; and
 - e. such further and other relief as this Honourable court may consider just.
7. notice of certification be given to the class members by the following means:
 - a. The defendant will mail copies of Appendix "A" to this Order (the "Notice") to all class members at the address to which their 2010 T4 was sent, or a more recent address if available to the defendant;

- b. The defendant will deliver copies of Appendix “A” to this order to all current non-union employees if in Class A, B, or C;
 - c. The defendant will attach a copy of Appendix “B”(the Opt Out Notice described in paragraph 8, below), to the notice sent and delivered to class members showing addresses in British Columbia;
 - d. The defendant will attach a copy of Appendix “C” (the Opt In Notice described in paragraph 9, below), to the notice sent and delivered to class members showing addresses not in British Columbia.
8. The defendant will cause the Notices to be mailed and delivered pursuant to paragraphs 7 a. and b. above by (“Date for Mailing and Delivery of Notices”).
9. Within two weeks after the Date for Mailing and Delivery of Notices, the defendant will deliver to class counsel a letter summarizing notice efforts including the number of copies of the Notice that the defendant sent, to whom, at what address, and over what period.
10. The Notice will be published on the TevlinGleadle Employment Law Strategies (“TevlinGleadle”) website.
11. The defendant will pay costs associated with mailing and delivery of the Notice set out in paragraph 7.
12. Class members who are residents of British Columbia at the date of certification may opt out of this proceeding by notifying TevlinGleadle, class counsel, in writing by email, fax, or mail no later than and shall use for that purpose the Opt Out form attached as Appendix “B” to this Certification Order (“Opting Out of the Class Action”).
13. Class members who are not residents of British Columbia at the date of certification may opt in to this proceeding by notifying TevlinGleadle, solicitors for the plaintiff, in writing by email, fax, or mail no later than ... and shall use for that purpose the Opt In form attached as Appendix “C” to this Certification Order (“Opting In to the Class Action”).

14. The Opt Out form for BC Residents, and the Opt In form for Non-BC Residents will be posted on the TevlinGleadle website in printable form and will be provided by class counsel to class members upon request.

BY THE COURT

DISTRICT REGISTRAR

APPROVED AS TO FORM:

Counsel for the Plaintiff

Counsel for the Defendant

Appendix "A"

**NOTICE OF CLASS ACTION
FOR NON-UNION EMPLOYEES OF CATALYST PAPER CORPORATION**

NO. S-103215

VANCOUVER REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

DARRYL SOMERVILLE

PLAINTIFF

AND:

CATALYST PAPER CORPORATION

DEFENDANT

INTRODUCTION

You are receiving this notice because you are a non-union employee of Catalyst Paper Corporation ("Catalyst") or were a non-union employee of Catalyst at the relevant time.

YOUR ACTION MAY BE REQUIRED

On May 10, 2010, Darryl Somerville of Powell River, British Columbia, commenced an action against Catalyst Paper Corporation in the Supreme Court of British Columbia.

The Court has ordered that this action proceed as a class action, and that this notice be mailed to all potential class members. You are receiving this notice because you are or may be a member of the class.

The court has ordered that the classes include the following people:

- a. all persons that were permanent non-union employees of the defendant in 2009 and that were eligible to participate in a bonus remuneration program known as the Short Term Incentive Plan (“STIP”) (“Class A”);
- b. all persons that were employed by the defendant in a permanent non-union position on January 1, 2010 and who at that time lost employment benefits pursuant to a unilateral decision by the defendant to reduce benefits without reasonable notice (Class B”);
- c. all persons that were members of a defined benefit pension plan for the defendant’s non-bargaining employees on December 31, 2009 (“Class C”).

WHAT IS THE CASE ABOUT?

The claims asserted against the defendant include a claim that the defendant failed to pay STIP for service during 2009, that it closed eligibility to company sponsored defined benefit pension plans effective December 31, 2009, without reasonable notice, and that at that time it also reduced various benefits without reasonable notice, including MSP, life insurance, disability insurance, vacation entitlements, and post-retirement benefits. The defendants deny these claims. The court has not yet determined whether the plaintiff’s claims have merit.

AM I IN OR OUT?

WHAT DO I NEED TO DO TO OPT IN OR OUT?

- **If you are a resident of British Columbia:**

If you are a British Columbia resident, and fit the description of a class member, you are automatically included in the class action unless you opt out.

If you wish to bring your own action, or for any other reason prefer not to participate in the class action, you must complete the attached form titled “Opting Out Of the Class Action” and mail it, fax it or e-mail it to TevlinGleadle Employment Law Strategies, so that it is received by no later than Unless you opt out, you will not be able to bring your own lawsuit in relation to the same issues and you will be bound by the outcome, whether favorable or not.

- **If you are not a resident of British Columbia:**

If you are not a resident of British Columbia you are not automatically included in the class action, even if you fit the description of a potential class member.

If you want to participate you must complete the attached form titled “Opting In To the Class Action” and mail it, fax it or e-mail it to TevlinGleadle Employment Law Strategies, so that it is received by no later than

If you do not want to participate in the class action, you may simply take no action. In that event you will not be able to recover any money that may be awarded in the class action and you will not be bound by any decisions rendered.

HOW WILL THE CASE PROCEED?

Class actions have two stages. The first stage is the resolution of the common issues. A list of common issues is contained in the Certification Order available on the TevlinGleadle Employment Law Strategies website.

A date for the trial of common issues will be obtained from the court. The court will make a determination of the common issues which will govern the rights of those class members who have chosen to participate in the class action.

If the common issues are determined in favour of the class, the court will determine what steps class members need to take in order to determine if each class member is entitled to recover any money, and in what amount.

FINANCIAL CONSEQUENCES

As a member of the class you will be entitled to the benefit of any ruling on the common issues of whether the defendants are liable to the class members. If the action is not successful, you will not be responsible for any of the costs of this action. You may be responsible for the costs of proving your own personal damages however.

AGREEMENT WITH SOLICITORS REGARDING FEES

You do not need to pay any legal fees out of your pocket. If the case is successful, the fees payable will be paid out of any judgment or settlement obtained.

TevlinGleadle Employment Law Strategies (“TevlinGleadle”) are legal counsel for the class. If the class action is successful, TevlinGleadle will apply to court to receive from 20% to 29% of each member’s total recovery, depending on the stage of the proceedings at which recovery is obtained. The court will decide whether this arrangement is reasonable and the fee appropriate.

Disbursements, that is monies actually paid out to advance the action, are the responsibility of class counsel, unless or until the action is resolved. A claim for payment of disbursements by the defendants will be made in the action. If the action is not successful, the disbursements will be the responsibility of class counsel.

PARTICIPATION BY CLASS MEMBERS

If any class member wishes to participate directly in the action he or she may do so by making an application to the Court. Class members may be required to participate in order to establish their own entitlement to damages, after the common issues are determined.

FURTHER INFORMATION

If you require further information about this action, you may contact Murray Tevlin, Dan Gleadle, Chris Ferguson, or Keri Wigle at TevlinGleadle at the address set out above or through any of the following means:

Phone: 604-648-2966

Fax: 604-648-2967

E-mail: info@tevlingleadle.com

Mail: 700 – 1006 Beach Avenue
Vancouver, BC,
V6E 1T7

Before contacting us you should visit the TevlinGleadle Class Action web site at www.tevlingleadle.com, where there is a detailed set of “frequently asked questions” and copies and description of all relevant court proceedings.

Class members should keep TevlinGleadle Employment Law Strategies advised of any address changes by fax or by e-mail.

Appendix "B"

OPT IN NOTICE
(for non-B.C. residents only)

I want to participate as a member of (CHECK ALL THAT APPLY):

- Class A
- Class B
- Class C

in the class action Darryl Somerville v. Catalyst Paper Corporation, Vancouver Registry NO. S-103215.

I understand that I will only be able to receive a monetary award from the action for the Class that I opt into.

Name of Class Member

Pension Plan registration number (if applicable)

Address

Signature

Date

MAIL, EMAIL OR FAX THIS DOCUMENT NO LATER THAN [Date] TO:

TevlinGleadle Employment Law Strategies
700 – 1006 Beach Avenue
Vancouver, British Columbia, Canada V6E 1T7
Fax: (604) 648-2967
info@tevlingleadle.com

Appendix "C"

OPT OUT NOTICE
(for B.C. residents only)

I *do not want to participate* as a member of (CHECK ALL THAT APPLY):

- Class A
- Class B
- Class C

in the class action Darryl Somerville v. Catalyst Paper Corporation, Vancouver Registry No. S-103215.

I understand that if I opt out as a member of Class A, Class B or Class C I will not be able to receive any monetary award from the action recovered by the class I have opted out of.

Name of Person or Beneficiary

Pension Plan registration number (if applicable)

Address

Signature

Date

MAIL OR FAX THIS DOCUMENT NO LATER THAN [Date] TO:

TevlinGleadle Employment Law Strategies
700 – 1006 Beach Avenue
Vancouver, British Columbia, Canada V6E 1T7
Fax: (604) 648-2967
info@tevlingleadle.com

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

DARRYL SOMERVILLE

PLAINTIFF

AND:

CATALYST PAPER CORPORATION

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Brought Pursuant to the Class Proceedings Act

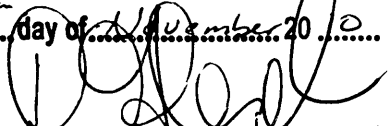
PLAINTIFF'S CASE MANAGEMENT PLAN

The plaintiff proposes the following Case Management Plan following the certification of the action:

General Matters

1. Unless a particular application is a matter of urgency, all interlocutory applications will be heard by the assigned case management judge.
2. Any applications aside from summary trial applications will be brought by first securing a date with the case management judge. 10 days prior to the hearing date, the applicant will deliver motion materials to the respondent. 7 days prior to the hearing date, the respondent will deliver response materials to the applicant. Any reply materials will be delivered to the applicant 5 days prior to the hearing. All motion materials, including written arguments, will be filed at least 2 days prior to the hearing.
3. The timelines for summary trial applications will be governed by the Rules of Court for such applications.
4. Within two weeks following certification, solicitors for the parties will meet in person to discuss possible settlement and/or mediation of any or all issues.

This is Exhibit " B " referred to in the affidavit of Chris Ferguson sworn before me at Vancouver this 26 day of November 2010



.....
A Commissioner for taking Affidavits
for British Columbia

Notices and Notification

5. Within 2 weeks of certification, the defendant will provide the plaintiff's solicitors with the following lists:
 - a. the most current list of active permanent non-union employees;
 - b. a list of permanent non-union employees that were employed during some part of 2009 but have since been terminated, along with the most recent mailing address for these dismissed employees;
 - c. a list of those employees that were members of a defined benefit pension plan as of December 31, 2009 with the last known mailing addresses of any such employees that are no longer actively employed.

(the "Notice Lists")
6. Within 4 weeks of certification, the defendant will personally deliver, and obtain acknowledgement of delivery, to every active employee on the Notice Lists, a notice in a form similar to the notice attached to the draft Certification Order as "Schedule A" (the "Notice")
7. Within 4 weeks of certification, the defendant will mail, and will make a record of such mailings, a Notice to every non-active employee on the Notice Lists.
8. Within 4 weeks of certification, the defendant will prominently post a copy of the Notice on any public bulletin boards or intranet sites and will keep such notices posted until the Opt Out Date (defined below).
9. Within 5 weeks of certification, the defendant will file an affidavit summarizing its efforts in relation to the notice obligations set out above.
10. The defendant shall bear any costs associated with the notice procedure set out above.
11. The plaintiff's solicitors will post a copy of the Notice on its internet web site and will keep such notice posted until the Opt Out Date.
12. Class members who are residents of British Columbia may opt out of this proceeding by notifying the solicitors for the plaintiff in writing by mail postmarked no later than 8 weeks from the date of the certification (the "Opt Out Date") and may use for that purpose the form attached as an Appendix to the draft Certification Order (the "Opt Out Form"), which form will also be posted on the plaintiff's solicitors website in a printable form.

13. Class members who are not residents of British Columbia may opt in to this proceeding by notifying the solicitors for the plaintiff in writing by email, fax, or mail postmarked no later than 16 weeks from the date of the certification (the "Opt In Date") and may use for that purpose the form attached as an Appendix to the draft Certification Order (the "Opt In Form"), which form will also be posted on the plaintiff's solicitors website in a printable form.

Lists of Documents

14. The parties shall exchange lists of documents relevant to all common issues within 2 weeks of certification.

Determination of Defined Benefit Pension claim

15. The parties will each conduct examinations for discovery of one representative with respect to common issues in this sub claim within 4 weeks of the certification.
16. The common issues will be determined by means of a summary trial to be scheduled within 10 weeks of certification.
17. Following the outcome of this summary trial, if the defendant is liable regarding the common issue of liability, the defendant will cause the actuaries responsible for administering its pension plans to prepare a report for each class member indicating the damages suffered by each class member. These reports will be completed within 8 weeks following the outcome of this summary trial and delivered to the plaintiff's solicitors.
18. Within 2 weeks following receipt of these reports, the solicitors for the plaintiff will have an expert review the actuarial assumptions and methods of calculation of the reports. In the event there is a dispute regarding the assumptions or calculations, this dispute will be resolved by further application to the Case Management Judge, if necessary.
19. Any damages will be paid to the plaintiff's solicitor in trust within two weeks of resolution. The plaintiff's solicitor will apply to the Case Management Judge, within 2 weeks of receipt of funds, for an Order approving a payout schedule.

Determination of Benefits Rollback claim

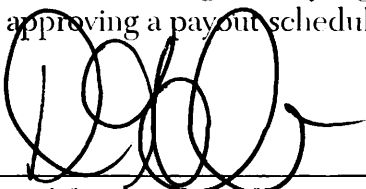
20. Within 4 weeks of the results of the Defined Benefit Pension summary trial, the parties will each conduct examinations for discovery of one representative with respect to common issues in this sub claim.

21. The common issues will be determined by means of a summary trial to be scheduled within 10 weeks of the results of the Defined Benefit Pension summary trial.
22. Following the outcome of this summary trial, if the defendant is liable regarding common issues of liability, the solicitors will attempt to resolve individual claims within 4 weeks.
23. Any further disputes involving individual claims will be resolved by further application to the Case Management Judge, if necessary.
24. Any damages will be paid to the plaintiff's solicitor in trust within two weeks of resolution. The plaintiff's solicitor will apply to the Case Management Judge, within 2 weeks of receipt of funds, for an Order approving a payout schedule.

Determination of STIP claim

25. Within 4 weeks of the results of the Benefits Rollback summary trial, the parties will each conduct examinations for discovery of one representative with respect to common issues in this sub claim.
26. The common issues will be determined by means of a summary trial to be scheduled within 10 weeks of the results of the Benefits Rollback summary trial.
27. Following the outcome of this summary trial, if the defendant is liable regarding common issues of liability, the solicitors will attempt to resolve individual claims within 4 weeks.
28. Any further disputes involving individual claims will be resolved by further application to the Case Management Judge, if necessary.
29. Any damages will be paid to the plaintiff's solicitor in trust within two weeks of resolution. The plaintiff's solicitor will apply to the Case Management Judge, within 2 weeks of receipt of funds, for an Order approving a payout schedule.

Dated: November 26, 2010



Counsel for the Plaintiff

This Case Management Plan is filed and delivered by the firm of TevlinGleadle, Employment Law Strategies, whose place of business and address for delivery is 700 – 1006 Beach Avenue, Vancouver, B.C., V6E 1T7, Telephone: (604) 648-2966, Fax No.: (604) 648-2967