

**ONTARIO
SUPERIOR COURT OF JUSTICE**

**THE HONOURABLE MADAM
JUSTICE ALEXANDRA HOY**

) *Thurs* DAY, THE *27th* DAY OF
)
) **SEPTEMBER, 2007**

BETWEEN:

AUDRA JEANETTE BELLAIRE, CATHERINE MARIE FRAUENLOB,
SANDRA LaROCCA, CLAUDIA PAYNE, YVONNE THOMPSON,
STEVEN CHARLES

Plaintiff

- and -

SALIM DAYA and HAMILTON HEALTH SCIENCES CORPORATION

Defendants

ORDER

THIS MOTION made on behalf of the Plaintiffs for an Order requiring the disclosure of personal information for the purpose of providing potential class members with notice of a proposed settlement of this action, made on notice to the Ministry of Health, was read this day in Toronto, Ontario.

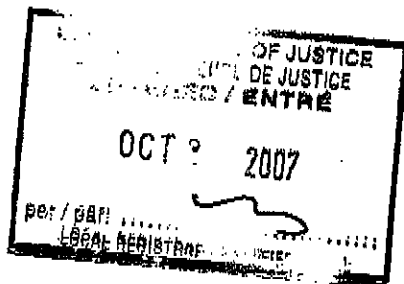
ON READING the Consents filed,

1. **THIS COURT ORDERS** that, within seven days of the date of this order, Hamilton Health Sciences Corporation shall deliver to the Ministry of Health and Long Term Care a list of all women it has identified as having a Tompkins Metroplasty performed by Dr. Salim Daya between January 1, 1990 and March 31, 2004 (the

"Potential Class Members") with their name, date of birth, Health Number and last known address;

2. **THIS COURT FURTHER ORDERS** that, within 14 days of receiving the list referenced in paragraph 1, the Ministry of Health and Long Term Care shall deliver to Hamilton Health Sciences Corporation a list of its most recent information with respect to the names and addresses of the Potential Class Members, including the date its database was last modified in respect of each individual;
3. **THIS COURT FURTHER ORDERS** that, subject to any further court order directing disclosure, the information exchanged between Hamilton Health Sciences Corporation and the Ministry of Health and Long Term Care shall be treated as confidential information and used solely for the purpose of sending the notice of proposed settlement to the Potential Class Members and complying with further orders of this court in respect of certification of this action and approval of the settlement;
4. **THIS COURT FURTHER ORDERS** that there will be no costs of this motion.

A. K. FEDSON
DEPUTY REGISTRAR, SUPERIOR COURT OF JUSTICE
GREFFIER ADJOINT, COUR SUPÉRIEURE DE JUSTICE



AJUBRA JEANETTE BELLAIRE et al.

vs. SALIM DAYA and HAMILTON HEALTH SCIENCE CORPORATION

COURT FILE NO. 04-CV-281230 CM

**ONTARIO SUPERIOR
COURT OF JUSTICE
PROCEEDING COMMENCED AT**

TORONTO

ORDER

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