

NEWSLETTER No. 8

Dated: December 19, 2008

Under *The Class Proceeding Act of Ontario.*

TO: Purchasers of a condominium development known as The Residence at Beauclair, York Region Standard condominium Corporation No. 974, 745 New Westminster, Thornhill (“YRSCC No. 974”).

We have now completed Examinations for discovery. The motions for the Refusals and Undertakings have been completed. The Court ordered answers have mostly been provided and the balance will be provided soon.

We have “set the action down for trial”, which means that we have placed the action on the trial list, indicating to the Court the Plaintiffs are ready for trial.

The Court will schedule a pre-trial conference (a meeting with the lawyers and their clients before a judge who will provide a neutral evaluation of the case in an attempt to settle it) and a trial date.

Before the pre-trial or trial is conducted, mediation must be conducted before a neutral lawyer/mediator who will try to settle the case.

We are in the process of finalizing our expert reports to serve on the Defendants’ counsel early in the New Year.

We will continue to press the Defendants to push the action forward. If the case does not settle at mediation or pre- trial, a trial would likely take place in 2010.

You can also access information on the file and newsletters by visiting our website at: www.lmklawyers.com.

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