

NEWSLETTER No. 1 (March 27, 2002)

On the 20th day of December, 2001, Justice Cumming made the following Order with respect to the scheduling of this matter:

- 1) Affidavit of Documents to be completed by April 15th, 2002;
- 2) Examinations for Discovery of the Defendants shall be for two weeks commencing June 18th to June 28th, 2002;
- 3) Examinations for Discovery of the representative Plaintiffs shall be held during the month of July 2002.

Plaintiffs' counsel have already delivered the Affidavit of Documents in this matter. We await the delivery of Affidavit of Documents by the Defendants.

An Affidavit of Documents is a list of all the relevant non-privileged documents in the power, possession or control of a party.

Following the delivery of the Affidavits of Documents, there will be examinations for discovery in this matter.

Following the certification of the action by Justice Cumming, Living Realty brought a motion seeking leave to appeal Justice Cumming's original certification decision of September 12th, 2001. The leave to appeal motion was heard before Justice Then on the 29th day of January 2002. Justice Then dismissed the leave motion, and awarded costs in the sum of \$3,500.00.

We shall continue to keep you advised of further developments.