

Q.B.G. 1206 of 2012 - J. C. Regina

THE CROWN & HAND PUB LTD.
v.
BANK OF AMERICA CORPORATION et al

Q.B.G. 133 of 2013 - J. C. Regina

HELLO BABY EQUIPMENT LTD.
v.
BOFA CANADA BANK et al

Appearances:

Present in Court:

E.F. Anthony Merchant, Q.C. and I. Brar for plaintiff The Crown & Hand Pub Ltd.
Luciana P. Brasil and Reidar Mogerman for plaintiff Hello Baby Equipment Ltd.
Katherine Kay for defendant Canadian Imperial Bank of Commerce
R. Leurer for defendant Visa Canada Corporation
Amanda Quayle for defendant Federation des caisses Desjardins du Quebec

Appearing by Telephone:

Rob Kwinter for defendant Visa Canada Corporation
David Kent for defendant Mastercard International Corporation
Mike Eizenga for defendant Bank of America Corporation
Mahmud Jamal and David Rankin for defendant Bank of Montreal
Brad Dixon for defendant Bank of Nova Scotia
Claire Hunter for defendant Capital One Financial Corporation
Shayne Stukoff and Mike Adlem for defendant Citigroup Inc.
Chantal Chatelain for defendant Federation des caisses Desjardins du Quebec
Randy Sutton and William McNamara for defendant National Bank of Canada
Paul Martin for defendant Royal Bank of Canada
Paul Morrison for defendant Toronto-Dominion Bank

FIAT — BALL J.

June 24, 2013

Merchant Law Group (“MLG”), representing The Crown & Hand Pub Ltd. in Q.B.G. 1206 of 2012 (the “MLG Action”) has applied for certification and wishes to have a litigation schedule established for the hearing of that application.

A Consortium of counsel, representing Hello Baby Equipment Inc. in Q.B.G. 133 of 2012 (the "Consortium Action") has applied for an order staying the MLG Action and an order that the Consortium be granted carriage of these proposed class action proceedings in Saskatchewan.

As agreed between MLG and the Consortium, the applications will be heard in Regina commencing September 11, 2013 at 10:00 a.m. and continuing on September 12 and September 13 as may be necessary.

MLG and the Consortium will each serve and file material in support of their respective applications by July 12, 2013; reply material will be filed by August 2, 2013; and response material, if any, will be delivered by August 16, 2013.

Each applicant will file its written submission at least two weeks prior to the hearing (i.e. by August 28, 2013), with response submissions to be filed at least one week prior to the hearing (i.e. by September 4, 2013). Late filing of material may result in rescheduling of the hearing.

Katherine Kay, representing the Canadian Imperial Bank of Commerce but speaking for all defendants, has informed the court that the defendants may also apply for orders staying one or both of the actions. If and when the defendants file that application, it may be made returnable on September 11, 2013 at 10:00 a.m. The defendants' and the two plaintiffs' shall then adhere to the same time lines set out above for delivery of their materials and submissions, so that all applications may be heard together.



DENNIS P. BALL