



**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE
JUSTICE PERELL

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)

Wednesday THE 13th DAY
OF OCTOBER, 2010

**RHONDA TETEFISKY, DAVID BAIN, HARVEY ERLICH, AKIVA MEDJUK, DANIEL
BERKOVITS**

Plaintiffs

-and-

**GENERAL MOTORS CORPORATION, GENERAL MOTORS OF CANADA, LTD.,
AMERICAN HONDA MOTOR COMPANY, INC., HONDA CANADA, INC. CHRYSLER
CANADA, INC., CHRYSLER LLC, NISSAN NORTH AMERICA INC., NISSAN
CANADA INC., CANADIAN AUTOMOBILE DEALERS ASSOCIATION, FORD
CANADA INC., FORD MOTOR COMPANY**

Defendants

Proceeding under the *Class Proceedings Act, 1992*

ORDER

THIS MOTION made by the Plaintiffs for an Order dismissing the action with prejudice and without costs as against the Defendants Nissan North America Inc. and Nissan Canada Inc. and other relief, was heard this day, at Osgoode Hall, 130 Queen Street West, Toronto, Ontario.

ON READING the notice of motion dated September 27th, 2010, the affidavit of Eliezer Karp, affirmed October 6th, 2010, and upon hearing the submissions of counsel for the parties and there being no opposition from the other defendants to this Action:

1. **THIS COURT APPROVES** the settlement agreement between plaintiffs and Nissan North America Inc. and Nissan Canada Inc.

2. **THIS COURT ORDERS** that the action as against Nissan North America Inc. and Nissan Canada Inc. be and the same is hereby dismissed with prejudice and without costs.

3. **THIS COURT ORDERS** that Plaintiffs' counsel shall, by October 20th, 2010, provide notice of this Order by way of the following:

- a) An update posted on the website, www.jrclassactions.com and any other web page(s) under the control of Plaintiffs' counsel and relating to this action, stating that this action has been dismissed with prejudice and without costs as against Nissan North America Inc. and Nissan Canada Inc. and attaching this order;
- b) An e-mail delivered to all persons who signed up with Plaintiffs' counsel to receive email updates regarding this action in the form of the email attached as "Schedule A" to this Order; and
- c) A press release issued by Plaintiffs' counsel in the form of the press release attached as "Schedule B" to this Order.

3. **THIS COURT ORDERS** that the Plaintiffs may amend the Amended Fresh as Amended Statement of Claim to remove all references to Nissan North America Inc. and Nissan

Canada Inc. The amended pleadings shall be entitled the "Second Fresh as Amended Statement of Claim".

4. **THIS COURT ORDERS** that the title of the proceedings be amended as follows:

Court File No.: 07-CV-340633CP

ONTARIO
SUPERIOR COURT OF JUSTICE

RHONDA TETEFISKY, DAVID BAIN, HARVEY ERLICH, DANIEL BERKOVITS

Plaintiffs

-and-

GENERAL MOTORS CORPORATION, GENERAL MOTORS OF CANADA, LTD.,
AMERICAN HONDA MOTOR COMPANY, INC., HONDA CANADA, INC. CHRYSLER
CANADA, INC., CHRYSLER LLC, CANADIAN AUTOMOBILE DEALERS
ASSOCIATION, FORD CANADA INC., FORD MOTOR COMPANY

Defendants

4. **THIS COURT ORDERS** that there shall be no costs to this motion.



Mr. Justice Paul Perell

ENTRÉES AT / ÉCRIT À TORONTO
COURT OF JUSTICE
LE / DATE DE LE REGISTRE NO.:

OCT 19 2010

AS DOCUMENT NO.:
À TITRE DE DOCUMENT NO.:
PER / PAR:



SCHEDULE "A"

Eli Karp

Sent: August 12, 2010 4:43 PM
Subject: Claims against Nissan dismissed on consent

Dear Sir or Madam,

The purpose of this email is to notify you that the class action being maintained against the Car Manufacturers, and for which you registered with our offices, has been dismissed on consent as against Nissan Canada Inc. and Nissan North America Inc., by order of Justice Perell, as of XXXX __, 2010.

If you have any further question, please do not hesitate to contact me.

Thank you.

Moshe Grunfeld
Law Clerk
Juroviesky LLP
Barristers and Solicitors

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Any advice in this communication is limited to the conclusions specifically set forth herein and is based on the completeness and accuracy of the stated facts, assumptions and/or representations known to us at the time of this communication. In rendering our advice, our authorized professionals may consider legal authorities including relevant federal, state and/or provincial statutory provisions, as amended at the time of this communication, the related regulations, and the judicial and administrative interpretations thereof that are subject to change, retroactively and/or prospectively, and any such changes could affect the validity of our advice and/or the information contained herein. We will not update our advice contained herein for subsequent changes or modifications to the law and regulations, or to the judicial and administrative interpretations thereof.

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SCHEDULE “B”

Ontario Superior Court Approves Consent Dismissal of Class Action Against Nissan Canada Inc. and Nissan North America Inc. Defendants with Prejudice

_____, 2010

The Ontario Superior Court of Justice approved today the Dismissal on consent of all claims alleged against Nissan Canada Inc. ("Nissan Canada") and Nissan North America, LLC ("Nissan NA"), with prejudice, in the Class Action styled *Tetefsky et al v GM et al* (formerly *Bester et al v. GM et al*) (Ontario court file no: 07-CV-340633CP).

The lawsuit is still ongoing against the other Defendants to the lawsuit. To see the Amended Fresh as Amended Statement of Claim, please visit: http://www.jruslaw.com/classactions/carconspiracy/docs/cc_tetefsky_amended_fresh_statement_of_claim.pdf.

Periodic updates about the state of the lawsuit will be posted at www.juroviesky.com/xyyyyy

For additional detail and to see the Notice of Discontinuance please go to www.juroviesky.com/XXXXXXXXYYYY.

Persons that have questions may contact the Plaintiffs' lawyers via email to info@jruslaw.com and indicate Nissan Dismissal in the subject line.

Rhonda Tetefsky, et. al.
Plaintiffs

v. General Motors Corporation, et. al.
Defendants

Court File No: 07-CV-340633CP

ONTARIO
SUPERIOR COURT OF JUSTICE

Proceeding commenced at Toronto

ORDER

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