

ONTARIO
SUPERIOR COURT OF JUSTICE

THE HONOURABLE)
JUSTICE STRATHY)

THURSDAY, THE 7TH DAY OF
OF JANUARY 2010

BETWEEN:

Brian Singer

Plaintiff

-and-

Playtex Limited, Sun Pharmaceuticals Corp., and Playtex Products Inc.

Defendants

Proceeding under the *Class Proceedings Act, 1992*

ORDER

THIS MOTION made by the Plaintiff seeking to certify this action as a class proceeding was heard between October 14-16, 2009, at Osgoode Hall, 130 Queen Street West, Toronto Ontario in conjunction with a motion by the Plaintiff to certify action CV-08-00359531-0000CP as a class proceeding;

UPON HEARING the submissions of counsel for the Plaintiff and counsel for the Defendants in both actions, and upon reading the materials filed, and upon receiving written

submissions by counsel for the Plaintiffs and counsel for the Defendants concerning costs of the motion, *and the Reasons for Decision on Costs having been released on March 26, 2010*

THIS COURT ORDERS:

1. That the Plaintiff's motion for certification of this action as a class proceeding is dismissed;
2. That the Defendants are awarded costs in respect to the motion to certify this action as a class proceeding in the amount of \$200,000.00 inclusive.

ENTERED AT / INSCRIT À TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO.:

APR 16 2010

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



R. Ittleman 2010/04/16

R. Ittleman, Registrar
Superior Court of Justice

BRIAN SINGER
Plaintiff

v. **PLAYTEX LIMITED et. al.**
Defendants

Court File No: CV-08-00-3595230000

ONTARIO
SUPERIOR COURT OF JUSTICE

Proceeding commenced at Toronto

ORDER

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