

ONTARIO  
SUPERIOR COURT OF JUSTICE

BETWEEN:

KRP ENTERPRISES INC., 1643078 ONTARIO INC.,  
KEVIN CLARK, ESTA CLARK, CHRISTINA  
ACCIACCAFFERRO, JEFFREY ACCIACCAFFERRO, STEVE  
TONG, LORI TONG, RUSSELL KAVANAGH, MICHELLE KAVANAGH,  
PAUL DURCEK, STEFFANY DURCEK, QUINTIN CHAUSSE,  
DONNA CHAUSSE, ANNE MARIE VANSICKLE, JAMES PAUL  
VANSICKLE, J.P. WOOLLEY SURVEYING LTD. and  
MARGARET COOK

Plaintiffs

- and -

ONTARIO PROVINCIAL POLICE COMMISSIONER GWEN M.  
BONIFACE, ONTARIO PROVINCIAL POLICE INSPECTOR  
BRIAN HAGGITH and HER MAJESTY THE  
QUEEN IN RIGHT OF ONTARIO

Defendants

Proceeding under the *Class Proceedings Act, 1992*

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JUDGMENT OF APPROVAL

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**THIS MOTION** for an Order approving a settlement herein of this class action, and granting certain relief was heard this day at Hamilton, Ontario.

**UPON READING** the materials filed and hearing the submissions of counsel for the parties, the nature of the claims asserted on behalf of the Classes arising from the events that occurred on and around Douglas Creek Estates in Caledonia in 2006 and more particularly described in the Statement of Claim filed in these proceedings, and the relief sought by the Classes relating to the cost of consequences and other damages allegedly arising out of the foregoing:

1. **THIS COURT DECLARES** that the Settlement is fair, reasonable, and in the best interests of the Settlement Classes, and orders that the Settlement and the Minutes of Settlement are hereby approved.
2. **THIS COURT DECLARES** that the Settlement is binding upon the parties and upon all members of the Settlement Classes, and the Settling Defendants, and Orders the parties and all members of the Settlement Classes to comply with the terms of the Settlement.

3. **THIS COURT DECLARES** that public Notice advising the potential members of the four Plaintiff classes of this hearing and of the Court's approval of this Settlement is not required.
4. **THIS COURT ORDERS THAT**, any person who is or could be classified as a member of the Settlement Classes and who has not submitted an opt-out form shall be bound by the Settlement and by this Judgment of Approval, and is hereby barred and enjoined from prosecuting any action arising out of the events that are described in the Statement of Claim filed in these proceedings against any of the Defendants to this action, their heirs, executors or assigns, or any other person or entity referred to in the Minutes of Settlement.
5. **THIS COURT ORDERS THAT** the Settlement Sum shall be managed and distributed in accordance with the Caledonia Compensation Plan prepared by the Plaintiffs and filed with the Court this day.
6. **THIS COURT ORDERS THAT** leave is granted to 1643078 Ontario Inc. to discontinue this action without costs and with prejudice, and **Declares** that such action be and is hereby discontinued without costs and with prejudice.
7. **THIS COURT ORDERS THAT** this action be and hereby is dismissed **without costs** and with prejudice.

Date: June 29, 2011

  
Judge

Court File No: 114/2006/CP

**KRP ENTERPRISES INC., et al.**  
Plaintiffs

- and - **ONTARIO PROVINCIAL POLICE  
COMMISSIONER, et al.**  
Defendants

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at Cayuga

**JUDGMENT OF APPROVAL**

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Counsel for the Defendants

JUL 11 2011

WILL BE

ISSUED / ENTERED

IN CAYUGA

Local Registry