



Court File No. 06-CV-306061-CP

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE
JUSTICE PERELL

)
)
)

WEDNESDAY, THE 24TH
DAY OF APRIL, 2024.

BETWEEN:

JOSEPH FANTL

Plaintiff

-and-

ivari

Defendant

Proceeding under the *Class Proceedings Act, 1992*

VARIATION ORDER – FEE APPROVAL

THIS MOTION, made by Class Counsel for an Order varying the Fee Approval Order of the Honourable Justice Perell dated December 11, 2023 (“Fee Approval Order”) was read this day at the Courthouse at 130 Queen Street West, Toronto.

ON READING the consents of the parties filed,

1. **THIS COURT ORDERS** that paragraph 2 of the Fee Approval Order is varied to read as follows:

THIS COURT ORDERS that the 30% contingency fee set out in the Retainer Agreement on the \$7,000,000.00 Settlement Fund (less disbursements and taxes thereon of \$182,893.64) is hereby fixed in the amount of \$2,045,131.91, including plus taxes thereon of \$265,867.15, ~~and~~ which amounts shall be payable from the Settlement Fund to Class Counsel within seven (7) days following the Effective Date of the Settlement.

April 24th, 2024

2. **THIS COURT ORDERS** that there be no costs of this motion.

Perell, J

JOSEPH FANTL
Plaintiff

- and -

ivari
Defendant

Court File No.: 06-CV-306061-CP

ONTARIO
SUPERIOR COURT OF JUSTICE

Proceeding commenced at Toronto

Proceeding under the *Class Proceedings Act 1992*

VARIATION ORDER – FEE APPROVAL

ROY O'CONNOR LLP

Barristers

1920 Yonge Street, Suite 300
Toronto, ON M4S 3E2

Peter L. Roy (LSO No. 161320)
David F. O'Connor (LSO No. 33411E)
J. Adam Dewar (LSO No. 46591J)

Tel: 416-362-1989

Fax: 416-362-6204

Email: plr@royoconnor.ca

Email: dfo@royoconnor.ca

Email: jad@royoconnor.ca

Lawyers for the Plaintiff, Joseph Fantl