

**ONTARIO
SUPERIOR COURT OF JUSTICE**

The Honourable Mr.) THURSDAY, the 18th day
)
Justice Perell) of JUNE, 2009

BETWEEN:

DEREK ASHLEY WAMBOLDT, CRAIG DENBY, ASSAD KAMAL,
MARK PHELAN and LINDA WATSON

Plaintiffs

- and -

NORTHSTAR AEROSPACE (CANADA) INC. and
NORTHSTAR AEROSPACE, INC.

Defendants

Proceeding under the *Class Proceedings Act, 1992*

ORDER

THIS MOTION, made by the Plaintiffs for an Order granting approval of the retainer agreements and approving the fees and disbursements of Class Counsel in the within proceeding, was heard this day at the Osgoode Hall Court House, 130 Queen Street West, Toronto, Ontario.

ON READING the materials filed, and on hearing the submissions of counsel:

1. **THIS COURT ORDERS** that the time for service and filing of the motion record be abridged;
2. **THIS COURT ORDERS AND DECLARES** that for the purposes of this Order the definitions set out in the Settlement Agreement apply to and are incorporated into this Order;

3. **THIS COURT ORDERS** that Class Counsel be paid \$1,125,000 plus taxes for legal fees and \$90,520.02 for disbursements inclusive of taxes;
4. **THIS COURT ORDERS** that the \$90,520.02 in disbursements is payable from the monies paid as Costs following Deposit Date One;
5. **THIS COURT ORDERS** that \$437,599.98 of the legal fee plus G.S.T. of \$21,880.00 for a total of \$459,479.98 is payable from the monies paid as Costs following Deposit Date One;
6. **THIS COURT ORDERS** that \$152,755.56 of the legal fee plus G.S.T. of \$7,637.78 for a total of \$160,393.34 is payable from the Property Damage Fund following Deposit Date One;
7. **THIS COURT ORDERS** that \$76,377.78 of the legal fee plus G.S.T. of \$3,818.89 for a total of \$80,196.67 is payable from the Extraordinary Damage Fund following Deposit Date Two;
8. **THIS COURT ORDERS** that Class Counsel may re-attend before this Court to make an application for payment of the remaining legal fees, estimated to be \$458,266.68 plus taxes. The amount requested could be slightly different depending on the potential application of interest and/or Opt-Out Credit. Class Counsel may also make an application for recovery of disbursements plus taxes not accounted for in this application; and

9. **THIS COURT ORDERS** that all future payments of legal fees and disbursements, inclusive of applicable taxes, be paid to Class Counsel from the Property Damage Fund following payment of the promissory note described in paragraph 4.1(3) of the Settlement Agreement.

Date: June 18, 2009

Perell, J

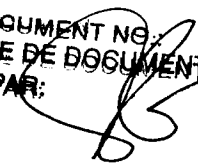
The Honourable Mr. Justice Perell

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AS DOCUMENT NO.:
À TITRE DE DOCUMENT NO.:

PER / PAR:



DEREK ASHLEY WAMBOLDT, CRAIG DENBY, ASSAD KAMAL, and
MARK PHELAN AND LINDA WATSON

Plaintiffs

NORTHSTAR AEROSPACE, INC. AND
NORTHSTAR AEROSPACE (CANADA) INC.

Defendants

Court File No: : 06-CV-307624CP

**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at Toronto

Proceeding under the *Class Proceedings Act, 1992*

ORDER

Siskinds^{LLP}
Barristers & Solicitors
680 Waterloo Street
London, ON N6A 3V8

Michael Eizenga LSUC #31470T
Tel: 519- 660-7820
Fax: 519-660-7821

Matthew D. Baer: LSUC #48227K
Tel: 519 – 660 7782
Fax 519-660-7783

Lawyers for the Plaintiffs