

**ONTARIO
SUPERIOR COURT OF JUSTICE**

The Honourable Mr.) Wednesday, the 21st day
)
Justice Strathy) of April, 2010



DAVID OSMUN and
METRO (WINDSOR) ENTERPRISES INC.

Plaintiffs

- and -

CADBURY ADAMS CANADA INC.,
THE HERSHEY COMPANY, HERSHEY CANADA, INC.,
NESTLÉ CANADA, INC., MARS INCORPORATED,
MARS CANADA INC. and ITWAL LIMITED

Defendants

Proceeding under the *Class Proceedings Act, 1992*

ORDER

THIS MOTION made by Class Counsel for an order approving the retainer agreements entered into with the representative plaintiffs and approval of the payment of Class Counsel legal fees and disbursements, was heard this day at the Court House, 361 University Ave, Toronto, Ontario.

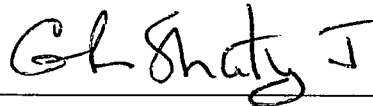
ON READING the materials filed and on hearing the submissions of Class Counsel:

1. **THIS COURT ORDERS** that the retainer agreements entered into with the Representative Plaintiffs, David Osmun and Metro (Windsor) Enterprises Inc., are hereby approved pursuant to section 32(2) of the *Class Proceedings Act, 1992*.

2. **THIS COURT ORDERS** that a legal fee of \$1,335,235.12 plus applicable taxes and disbursements of \$81,231.04 plus applicable taxes are awarded to Class Counsel with respect to the Settlement Agreement entered into between the Plaintiffs and the Defendants, Cadbury Adams Canada Inc. and Cadbury Holdings Limited, dated October 14, 2009. (the "Cadbury Settlement Agreement").

3. **THIS COURT ORDERS** that the Class Counsel legal fees, disbursements, and applicable taxes be paid from the Settlement Funds, payable pursuant to the terms of the Cadbury Settlement Agreement.

Date: May 31, 2010



The Honourable Justice Strathy

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

MAY 31 2010

PER/PAR:



**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at Toronto

Proceeding under the *Class Proceedings Act, 1992*

**ORDER
Class Counsel Fees and Disbursements**

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