

**ONTARIO
SUPERIOR COURT OF JUSTICE
Justices' Office
Central West Region**

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Counsel

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FROM: Dale Willis, Judicial Secretary

DATE: September 26, 2007

RE: **CCWIPP v. ROYAL GROUP TECHNOLOGIES**
Court File No. 965/06

COMMENTS: Please find attached a copy of Justice Quigley's Endorsement in the above matter, dated today. If you need any further assistance, please do not hesitate to contact our office.

NO. OF PAGES, including cover sheet: 3 pages
If all pages are not received, please call Dale at (905) 878-2813

COURT FILE NO.: 965/06

DATE: 20070926

SUPERIOR COURT OF JUSTICE - ONTARIO

RE: CANADIAN COMMERCIAL WORKERS INDUSTRY PENSION PLAN v.
ROYAL GROUP TECHNOLOGIES LTD., VIC DE ZEN, DOUGLAS
DUNSMUIR, GARY BROWN, RON GOEGAN, DOMINIC D'AMICO,
GREGORY SORBARA, RONALD SLAGHT and RALPH BREHN

BEFORE: M.G.J. QUIGLEY J.

COUNSEL: Michael Robb, for the Plaintiff

Steve Tenai, for the Defendants Royal Group, Ronald Slaght & Ralph Brechnand
and as Agent for the Defendants Gary Brown, Ron Goegan, Dominic D'Amico &
Gregory Sorbara

HEARD: September 26, 2007

ENDORSEMENT

[1] On September 10, 2007, I ordered that this matter be certified under the *Class Proceedings Act, 1992* and gave this court's pre-approval to the global form of settlement that had been reached between the parties. As well, this court was asked to approve the form of Notice that was proposed to be sent to the putative class members. The proposed Order presented to this court on that day addressing all relevant matters was issued on the same day.

[2] As detailed in my September 10 Endorsement, it was the intention of the parties that a similar order would be obtained from the United States court in which the parallel U.S. Action had been commenced. Once that order was obtained from that court, notice would be sent out to all shareholders of Royal Group, advising them how to participate in the global settlement, how to choose not to participate, and how to object.

[3] The Plan of Notice endorsed by this court in its September 10, 2007 Order contemplated that public notification would be made to potential United States claimants by publication in the English language only in the national edition of *Investor's Business Daily*, and by issuance of the

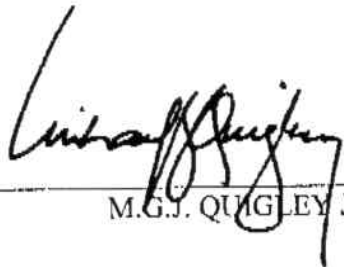
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short form Pre-Approval Notice across *Business Wire*, a major national business newswire in the U.S.

[4] A parallel order was issued yesterday, September 25, 2007, by Judge Holwell of the United States District Court for the Southern District of New York, but instead of public dissemination of the notice being made in the manner described in the Plan as referenced above, Judge Holman ordered that publication shall be made in the *Wall Street Journal* on a single occasion and not in *Investor's Business Daily*.

[5] In light of Judge Holwell's order, and to ensure that the publication provisions of the Plan respecting dissemination of information in the U.S. is consistent, both in Canada and in the United States, upon hearing from counsel and reviewing the above noted order of the United States District Court, this court orders that the provisions of the Plan respecting National Notice in Canada and the United States shall be amended to stipulate that in the United States publication shall be made in the *Wall Street Journal* on a single occasion and not in *Investor's Business Daily*, as originally contemplated in the Plan.

[6] Order to go accordingly.



M.G.J. QUIGLEY J.

DATE: September 26, 2007