



**ONTARIO
SUPERIOR COURT OF JUSTICE**

Electronically issued : 23-Sep-2021
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Toronto

THE HONOURABLE MADAM)
)Thursday....., THE ...23rd.....
JUSTICE AKBARALI))
) DAY OF ...September..., 2021

B E T W E E N:

(Court Seal)

CHARLES O'BRIEN and JAMES RAE

Plaintiffs

- and -

MAXAR TECHNOLOGIES INC.,
HOWARD L. LANCE, ANIL WIRASEKARA,
BIGGS C. PORTER, NICK S. CYPRUS and KPMG LLP

Defendants

Proceeding under the *Class Proceedings Act, 1992*

**ORDER
(Discontinuance as against KPMG LLP)**

THIS MOTION, made by the Plaintiffs, with the consent of the Defendant KPMG LLP (“KPMG”), for an Order dismissing certain motions and approving the discontinuance of the within action as to KPMG, without costs, was heard this day in writing at 330 Queen Street West, Toronto, Ontario;

ON READING the materials filed, including the Consent of the Plaintiffs and KPMG;

1. **THIS COURT ORDERS** that the Plaintiffs’ motion for leave to proceed with claims under the *Securities Act*, R.S.O. 1990, c. S.5 is dismissed as against KPMG with prejudice and without costs.

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2. **THIS COURT ORDERS** that the Plaintiffs' motion for certification of the proposed class proceeding pursuant to the *Class Proceedings Act, 1992*, S.O. 1992 is dismissed as against KPMG with prejudice and without costs.

3. **THIS COURT ORDERS** that the within action be and is hereby discontinued as against KPMG, without costs.

4. **THIS COURT DECLARES** that notice of the discontinuance of this action against KPMG is not required under s. 19 of the *Class Proceedings Act, 1992*, S.O. 1992, c. 6, and is hereby dispensed with.

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


The Honourable Justice Akbarali

CHARLES O'BRIEN and JAMES RAE
Plaintiffs

and

MAXAR TECHNOLOGIES INC., et al.
Defendants

Court File No: CV-19-00631107-00CP

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PROCEEDING COMMENCED AT TORONTO

ORDER

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