



No. S-090663
Vancouver Registry

IN THE SUPREME COURT OF BRITISH COLUMBIA

Between:

CAMBIE SURGERIES CORPORATION, CHRIS CHIAVATTI by his litigation guardian RITA
CHIAVATTI, MANDY MARTENS, KRYSTIANA CORRADO by her litigation guardian ANTONIO
CORRADO, ERMA KRAHN, WALID KHALFALLAH by his litigation guardian DEBBIE WAITKUS and
SPECIALIST REFERRAL CLINIC (VANCOUVER) INC.

Plaintiffs

And:

MEDICAL SERVICES COMMISSION OF BRITISH COLUMBIA,
MINISTER OF HEALTH OF BRITISH COLUMBIA,
and ATTORNEY GENERAL OF BRITISH COLUMBIA

Defendants

And:

DR. DUNCAN ETCHES, DR ROBERT WOOLLARD, GLYN TOWNSON,
THOMAS MCGREGOR, BRITISH COLUMBIA FRIENDS OF MEDICARE SOCIETY,
CANADIAN DOCTORS FOR MEDICARE, MARIEL SCHOOFF,
DAPHNE LANG, JOYCE HAMER, MYRNA ALLISON, CAROL WELCH
and the BRITISH COLUMBIA ANESTHESIOLOGISTS' SOCIETY

Intervenors

ORDER MADE AFTER APPLICATION

BEFORE))
) THE HONOURABLE) 22 July 2014
) ASSOCIATE CHIEF JUSTICE CULLEN)

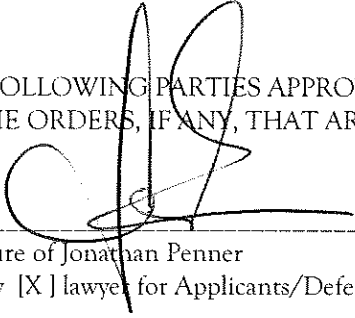
ON THE APPLICATION of the Defendants coming on for hearing at the Courthouse, 800 Smithe Street,
Vancouver, British Columbia, on Tuesday, 22 July 2014, and on hearing Jonathan Penner and Heidi
Hughes, Counsel for the Applicants, and Andrea Zwack, counsel for the Respondents, and upon reading the
materials filed herein,

THIS COURT ORDERS THAT:

- I. TCS Forensics Limited "TCS Forensics" shall:
 - a. Identify to counsel for the parties the computer systems, digital storage devices, servers, printers and other electronic devices in the possession or control of the plaintiffs Cambie Surgeries Corporation ("Cambie") and Specialist Referral Clinic (Vancouver) Inc. ("SRC") from which TCS Forensics considers that documents described in this Court's Order of 21 May 2014 (the "Documents") may be recoverable (the "Devices");
 - b. Create a mirror-image copy of the electronically stored information ("ESI") stored on the Devices as quickly as reasonably possible;
 - c. Using the mirror-image copy, identify and extract as many of the Documents as possible, including all available remnants of unallocated, slack, or system data, which TCS Forensics will reassemble into as much of its original, active (non-deleted) state as possible;
 - d. Provide the Documents and other data extracted to counsel for the Plaintiff for review;
 - e. Maintain all information in confidence and not disclose information that it learns except pursuant to the terms of this Order or further direction of the Court.
2. Cambie and SRC will cooperate with TCS Forensics to facilitate any necessary inspection of the hard drives, servers, and other devices in their possession or control, and provide any information that TCS Forensics reasonably requests.
3. Cambie and SRC will allow TCS Forensics access to the Devices within 48 hours of TCS Forensics identifying the Devices.
4. Counsel for the plaintiffs will review the Documents and other data provided by TCS Forensics, and list and to the extent they are reasonably able, produce to the defendants all non-privileged Documents within 7 days of receipt.
5. To the extent that the Documents contain confidential patient information, the Defendants will keep the information strictly confidential and will not use the information for any purpose, including for the purposes of this or any other legal proceeding.

6. The defendants may direct TCS Forensics to cease work prior to the completion of any of the tasks assigned to it pursuant to this Order.
7. All charges and expenses of TCS Forensics shall be paid by the defendants.
8. TCS Forensics shall direct any requests for clarification regarding its work under this Order to the parties, and the parties shall copy one another in responding to TCS Forensics, except that TCS Forensics and the defendants may communicate regarding billing and payment for TCS Forensics' services without copying the plaintiffs.
9. The parties are at liberty to apply to the Court for further directions respecting the terms of this Order and the work of TCS Forensics under this Order.
10. Either party may apply for costs of this application following the completion or termination of TCS Forensics' work under this Order. If no further application is made, costs will be determined by the trial judge following the trial.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:



Signature of Jonathan Penner
 party lawyer for Applicants/Defendants



for: Signature of Andrea Zwack
 party lawyer for Respondents/Plaintiffs
Cambie Surgeries Corporation

By the Court
Digitally signed by
Berg, Mellani

Registrar

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JONATHAN PENNER
BARRISTER AND SOLICITOR

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