

File 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, MARIËL SCHOOFF,
DAPHNE LANG, JOYCE HAMER, MYRNA ALLISON, CAROL WELCH,
and the BRITISH COLUMBIA ANESTHESIOLOGISTS' SOCIETY

INTERVENORS

ORDER MADE AFTER APPLICATION

BEFORE

THE HONOURABLE ASSOCIATE CHIEF
JUSTICE CULLEN

25 November 2015


ON THE APPLICATION of the Plaintiffs for a stay of the Defendants' application to strike portions of the Third Amended Notice of Civil Claim coming on for hearing at the courthouse, 800 Smithe Street, Vancouver, British Columbia, before the Honourable Associate Chief Justice Cullen, on the 2nd and 3rd of November 2015, AND ON HEARING Robert Grant, Q.C. and Selina Gyawali, counsel for the Plaintiffs, AND ON HEARING Jonathan Penner and Kate Saunders, counsel for the Defendants, and Allison

Tremblay and Craig Bavis appearing on behalf of the Interveners Mariël Schoof, Daphne Lang, Joyce Hamer, Myrna Allison and Carol Welch, AND NO ONE APPEARING on behalf of the Interveners Dr. Duncan Etches, Dr. Robert Woollard, Glyn Townson, Thomas McGregor, British Columbia Friends of Medicare Society and Canadian Doctors for Medicare and the British Columbia Anesthesiologists' Society, although having been served with the materials filed herein; AND HAVING READ the materials filed herein, and judgment being reserved to this date;


THIS COURT ORDERS that:

1. The Plaintiffs' application is dismissed.
2. The Defendants are entitled to their costs of the application in the cause.

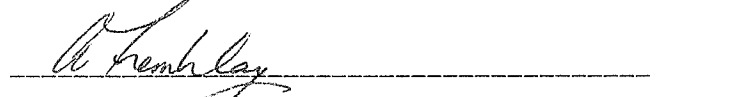
THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:



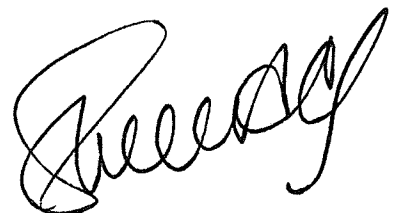
Signature of ROBERT GRANT, Q.C.
Counsel for the Plaintiffs




Signature of JONATHAN PENNER
Counsel for the Defendants



Signature of ALLISON TREMBLAY
Counsel for the Interveners Mariël Schoof, Daphne Lang,
Joyce Hamer, Myrna Allison and Carol Welch



By the Court



Registrar



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RITA CHIAVATTI, MANDY MARTENS, KRYSTIANA CORRADO by her litigation
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Ministry of Justice
Legal Services Branch
PO BOX 9280 STN PROV GOVT
1001 Douglas Street
Victoria BC V8W 9J7
Telephone: 250 952-0122 Facsimile: 250 356-5707

JONATHAN PENNER
Barrister and Solicitor

Jan 26/16
DYE & DURHAM CORPORATION

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