



Court File No. CV-19-616077-00CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

THE HONOURABLE CHIEF)
)
JUSTICE MORAWETZ) MONDAY, THE 25TH DAY OF
)
) AUGUST, 2025.

IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*,
R.S.C. 1985 c. C-36, AS AMENDED

AND IN THE MATTER OF A PLAN OF COMPROMISE
OR ARRANGEMENT OF **IMPERIAL TOBACCO CANADA LIMITED**
AND **IMPERIAL TOBACCO COMPANY LIMITED**

Applicants

ORDER

(Fee Approval Motion – Counsel for the Knight Class Action Plaintiffs)

THIS MOTION, made by Klein Lawyers LLP, Counsel for the Knight Class Action Plaintiffs, for an Order approving the Knight Class Counsel Fee, was heard on February 11 and March 7, 2025.

ON READING the notice of motion, the affidavit Nicola Hartigan, sworn January 29, 2025, and on hearing the submissions of Knight Class Counsel and those other parties present.

1. **THIS COURT ORDERS AND DECLARES** that the terms that appear in this Order shall have the meanings set out in the CCAA Plans.

2. **THIS COURT ORDERS** that the fees and disbursements, including interest and taxes, sought by Knight Class Counsel pursuant to their April 22, 2003 contingency fee agreement and April 30, 2007 supplementary contingency fee agreement are approved.

3. **THIS COURT ORDERS AND DIRECTS** that the Knight Class Counsel Fee in the amount of \$6,662,746.62 be paid to Klein Lawyers LLP in Trust from the Knight Class Action Plaintiffs Settlement Amount, calculated as follows:

Particulars	Total
Contingency Fee Retainer – Knight Class Action (1/3 % of \$15,000,000)	\$5,000,000.00
Disbursements, including interest	\$1,062,746.62
GST on fee	\$250,000.00
PST on fee	\$350,000.00
Total	<u>\$6,662,746.62</u>

4. **THIS COURT ORDERS AND DIRECTS** that Knight Class Counsel is permitted to pay an honorarium of \$10,000 to the representative plaintiff, Mr. Kenneth Knight, to be paid from their fee.



Chief Justice Geoffrey B. Morawetz

IN THE MATTER OF THE COMPANIES' CREDITORS ARRANGEMENT ACT, R.S.C. 1985, c. C-36, AS ENACTED

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF **IMPERIAL TOBACCO CANADA LIMITED AND IMPERIAL TOBACCO COMPANY LIMITED**

Court File No. CV-19-616077-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST
PROCEEDING COMMENCED AT
TORONTO

ORDER
(Fee Approval Motion –
Knight Class Counsel Fee)

KLEIN LAWYERS LLP

400 -1385 West 8th Avenue

Vancouver, BC V6H 3V9

Phone: (604) 874-7171

Fax: (604) 874-7180

Douglas Lennox LSO#40540A

Email: dlennox@callkleinlawyers.com

David Klein

Email: dklein@callkleinlawyers.com

Lawyers for the Knight Class Action Plaintiffs