

**ONTARIO
SUPERIOR COURT OF JUSTICE**

BETWEEN:

RICHARD MARCHAND and KENNETH MORTIER

Plaintiffs

—and—

FORD MOTOR COMPANY and FORD MOTOR COMPANY OF CANADA LTD.

Defendants

Proceeding under the *Class Proceedings Act, 1992*

**NOTICE OF MOTION
(Motion for Approval of Counsel Fees)**

THE PLAINTIFFS will make a motion to the Honourable Mr. Justice Raikes, on a date to be fixed, at the courthouse, 245 Windsor Avenue, Windsor, Ontario.

PROPOSED METHOD OF HEARING: The motion is to be heard orally.

THE MOTION IS FOR:

1. An Order fixing Counsel Fees¹ and declaring such Counsel Fees to be fair and reasonable;
2. Such further and other relief as to this Honourable Court seems just.

THE GROUNDS FOR THE MOTION ARE:

1. Sections 32 and 33 of the *Class Proceedings Act, 1992*, S.O. 1992, c. 6;

¹ Capitalized terms used but not defined herein have the meaning given to them in section 1.16 of the Canadian Class Action Settlement between the parties made as of August 17, 2017.

2. Given the significant risks in undertaking and proceeding with this consumer class action and the results achieved, the request of Class Counsel in respect of Counsel Fees is fair and reasonable; and
3. Such further and other grounds as counsel may advise and this Honourable Court may permit.

THE FOLLOWING DOCUMENTARY EVIDENCE will be used at the hearing of the motion:

1. this Notice of Motion;
2. the Affidavit of Norman Groot, sworn February 15, 2018; and
3. such further and other materials as counsel may advise and this Honourable Court permits.

February 16, 2018

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RICHARD MARCHAND et al.

v.

FORD MOTOR COMPANY et. al.

Plaintiffs

Defendants

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Proceeding Commenced at Windsor

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