



No. C965349  
Vancouver Registry

In the Supreme Court of British Columbia

Between:

Anita Endean, as representative plaintiff

Plaintiff

and:

The Canadian Red Cross Society  
Her Majesty the Queen in Right of the Province of British  
Columbia, and The Attorney General of Canada

Defendants

and:

Prince George Regional Hospital, Dr. William Galliford,  
Dr. Robert Hart Dykes, Dr. Peter Houghton, Dr. John Doe,  
Her Majesty the Queen in Right of Canada, and Her Majesty the Queen  
in Right of the Province of British Columbia

Third Parties

Proceeding under the *Class Proceedings Act*, R.S.B.C. 1996, C. 50

**ORDER**

BEFORE THE HONOURABLE )

MR. JUSTICE PITFIELD )

Wednesday, the 30<sup>th</sup> DAY  
OF JUNE, 2004

THE APPLICATION of the British Columbia Joint Committee Member coming  
on for hearing before Pitfield, J. in writing;

AND ON the defendant Her Majesty the Queen in Right of the Province of British  
Columbia, the defendant the Attorney General of Canada and William A. Ferguson, British  
Columbia Fund Counsel, all having been served with this motion;

AND ON reading the Orders of Mr. Justice Smith made June 8, 2001 in this Court and Mr. Justice Winkler made May 17, 2001 in the Ontario Superior Court of Justice;

AND THIS ACTION BEING STAYED AGAINST the defendant the Canadian Red Cross Society by the order of Mr. Justice Blair made on July 20, 1998 in Ontario Superior Court of Justice Action No. 98-CL-002970 (Toronto) and subsequently extended by further orders made on August 18, 1998, October 5, 1998, January 18, 1999, May 5, 1999, July 28, 1999 and February 25, 2000;

AND THIS ACTION BEING STAYED AGAINST the third parties Prince George Regional Hospital, Dr. William Galliford, Dr. Robert Hart Dykes, Dr. Peter Houghton and Dr. John Doe by order of Mr. Justice K. Smith made May 22, 1997;

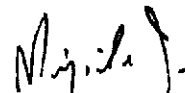
THIS COURT ORDERS THAT:

1. the Transfused HCV Plan and the Hemophiliac HCV Plan be amended by deleting the restriction of compensation contained in Section 4.02(2) and Section 6.01(1) which limits the loss of income and loss of support to 70% of the annual net losses by allowing the full amount to be paid. Each person entitled to receive a payment that has been postponed, for his or her account in accordance with Section 4.02(2) and Section 6.01(1) be paid the amount postponed plus interest at the Prime Rate commencing on the date of payment of the initial loss of income and loss of support payment under Section 4.02(2) and Section 6.01(1);
2. the Transfused HCV Plan and the Hemophiliac HCV Plan be further amended by increasing the restriction of compensation contained in Section 4.02(2) pertaining to the

maximum gross income limit for calculating annual net loss of income or loss of support from \$75,000 to \$300,000; and

3. this order not be effective until similar orders have been made by the Superior Court of Quebec and the Ontario Superior Court of Justice.

BY THE COURT



DEPUTY DISTRICT REGISTRAR

**ENTERED**

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**West Coast**

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**ORDER**

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