

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE ) Thursday , THE 21st DAY  
JUSTICE BENJAMIN T. GLUSTEIN ) OF Sept , 2023

BETWEEN:

CLAIRE LINDHOUT AND BETTY ANN MARTIN

Plaintiffs

- and -

HILL'S PET NUTRITION, INC.  
and HILL'S PET NUTRITION CANADA INC.

Defendants

Proceeding under the *Class Proceedings Act, 1992*

**FEE APPROVAL ORDER**


**THIS MOTION**, made by Koskie Minsky LLP and McKenzie Lake Lawyers LLP (collectively, "**Class Counsel**") for an order approving the legal fees and disbursements payable to Class Counsel and an honorarium to the representative Plaintiffs was heard on September 21, 2023.

**WHEREAS** the agreement to settle this action dated June 2, 2023 (the "**Settlement Agreement**"), was approved by this Court;

**AND WHEREAS** all capitalized terms undefined herein shall have the same meaning ascribed to them in the Settlement Agreement;

**ON READING** the materials filed, including the settlement agreement with the Defendants, Hill's Pet Nutrition, Inc. and Hill's Pet Nutrition Canada Inc., and on hearing the submissions of Class Counsel;

1. **THIS COURT ORDERS** that the Contingency Fee Retainer Agreement dated September 30, 2019 between Claire Lindhout and Koskie Minsky LLP and the Contingency Fee Retainer Agreement dated September 5, 2019 between Betty Ann Martin and McKenzie Lake Lawyers LLP are fair and reasonable, and are hereby approved pursuant to s. 32(2) of the *Class Proceedings Act*, 1992, S.O. 1992, c. 6.
2. **THIS COURT ORDERS** that the fees payable to Class Counsel are hereby set at USD\$172,500 in respect of legal fees and USD\$22,425 in respect of HST.
3. **THIS COURT ORDERS** that the disbursements payable to Class Counsel in addition to the legal fees plus HST, set out in paragraph 2 of this Order, are hereby set at CA\$29,320.67.
4. **THIS COURT ORDERS** that Class Counsel Fees and Disbursements shall be paid within thirty (30) days of the issuance of the Settlement Approval Order and the exhaustion or expiration of any appeal rights. Class Counsel Fees and Disbursements shall be payable to Koskie Minsky LLP, in trust.

  
The Honourable Justice Benjamin T.  
Glustein

**Claire Lindhout and Betty Ann Martin**  
Plaintiffs

and

**Hill's Pet Nutrition Canada Inc. et al.**  
Defendants

Court File No.: CV-19-0062978600CP

**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**

Proceeding commenced at Toronto

Proceeding under the *Class Proceedings Act, 1992*

**FEE APPROVAL ORDER**

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