

Court File No.: 08-cv
347100 CP

ONTARIO SUPERIOR COURT OF JUSTICE

THE HONOURABLE
JUSTICE PERELL

) WEDNESDAY, THE 4TH
)
) DAY OF MARCH, 2009

B E T W E E N:

LISA CAVANAUGH, ANDREW HALE-BYRNE,
RICHARD VAN DUSEN, MARGARET GRANGER and TIMOTHY BLACKLOCK

Plaintiffs
(Appellant)

- and -

226937 ONTARIO LIMITED c.o.b as GRENVILLE CHRISTIAN COLLEGE, THE
INCORPORATED SYNOD OF THE DIOCESE OF ONTARIO, CHARLES
FARNSWORTH, BETTY FARNSWORTH, J. ALASTAIR HAIG and MARY HAIG

Defendants
(Respondent)

Proceeding under the *Class Proceedings Act*, 1992

ORDER

THIS MOTION, made by the Defendants for an Order striking the Plaintiff's Amended Statement of Claim pursuant to Rules 25.06 (1), (2) and (8), rule 21.01 (1)(b) and rule 25.11 (a), was heard on March 2, 2009, at 130 Queen Street West, Toronto, Ontario.

ON READING the Motion Record filed and on hearing the submissions of the Parties,

1. **THIS COURT ORDERS THAT** paragraphs 25, 26, 27, 31, 32 (b), (e), (g), (h), (i), (j), (k), (l), (n), (r) and (s), 33 (a), (d), (e), (g), (h), (i), (k), (l), (m), (n), (o), (p), (q), (r), (s), (t), (v), (w), (x), (aa), (bb), (dd), (ee) and (ff), of the Plaintiff's Amended Statement of Claim are hereby struck without leave to amend.

2. **THIS COURT ORDERS THAT** paragraphs 32 (a), (c), (d), (f), (m), (o), (p), (q), (t), (u) and (v), 33 (c), (f), (j), (u), (y), (z), and (cc) of the Plaintiff's Amended Statement of Claim are hereby struck with leave to amend.

3. **THIS COURT ORDERS THAT** the portion of paragraph 30 of the Plaintiff's Amended Statement of Claim which states:

“...so as to prevent too close a bond developing between these children and their parents.”

is hereby struck without leave to amend.

4. **THIS COURT ORDERS THAT** the portion of paragraph 35 of the Plaintiff's Amended Statement of Claim which states:

“...and which was imposed principally to reinforce the teachings of the Community of Jesus as interpreted by the individual Defendants.”

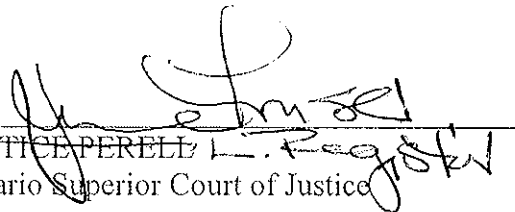
is hereby struck without leave to amend.

5. **THIS COURT ORDERS THAT** the portion of paragraph 40 of the Plaintiff's Amended Statement of Claim which states:

“...in fact, the Plaintiffs state that the Defendants intended to break down the spirit of each child and their familial relationships with a view to promoting their religious ideals.”


is hereby struck without leave to amend.

6. **THIS COURT ORDERS THAT** the costs of this motion be costs in the cause.


JUSTICE PERELLE L. Regist
Ontario Superior Court of Justice

ENTERED AT / INSCRIT À TORONTO
ON / BOOK NO.
LE / DANS LE REGISTRE NO.:

MAY 20 2009

AS DOCUMENT NO.:
À TITRE DE DOCUMENT NO.:
PER / PAR: 

LISA CAVANAUGH et al.
Plaintiffs

-and-
Defendants

GRENVILLE CHRISTIAN COLLEGE et al.

Court File No. 08-CV-347100CP

**ONTARIO
SUPERIOR COURT OF JUSTICE**

A PROCEEDING INSTITUTED PURSUANT TO THE CLASS
PROCEEDINGS ACT., 1992, S.O. 1992, C 6

PROCEEDING COMMENCED AT TORONTO

ORDER

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