

Federal Court



Cour fédérale

Date: 20251112

Docket: T-705-13

Toronto, Ontario, November 12, 2025

PRESENT: Mr. Associate Judge Michael D. Crinson

BETWEEN:

**MEDIATUBE CORP. AND
NORTHVU INC.**

**Plaintiffs/
Defendants by Counterclaim**

and

**BELL CANADA AND
BELL ALIANT REGIONAL
COMMUNICATIONS,
LIMITED PARTNERSHIP**

**Defendants/
Plaintiffs by Counterclaim**

ORDER AND REASONS

[1] This is the Order and Reasons in respect of a motion by the Defendant, Bell Canada (“Bell”), dated June 13, 2025, for an Order pursuant to Rule 467 of the *Federal Courts Rules* (the “Rules”) that Douglas Lloyd (“Lloyd”), as representative of the Plaintiff, MediaTube and in his personal capacity, appear before a Judge of the Federal Court in Toronto to hear proof of alleged acts of contempt and any defences that MediaTube and Mr. Lloyd may have.

I. The Proceedings

[2] This motion arises in the context of an already adjudicated patent dispute. In 2013, the Plaintiffs, NorthVu Inc. (“NorthVu”) and MediaTube Corp. (“MediaTube”) commenced a lawsuit against the Defendants (“Bell”) alleging that Bell’s Fibe TV service infringed Canadian Patent No. 2,339,477 (the “477 Patent”). After examinations for discovery and using that information, Bell created a document for trial, called the “How It Works” document that described how Fibe TV worked. The “How It Works” document was designated as containing confidential information pursuant to the protective order of then Prothonotary Milczynski dated October 2, 2014, in this proceeding.

[3] The October 2, 2014, protective order included provisions:

- A. Limiting the individuals who could access information or documents designated as “confidential” to those specifically listed in the Order;
- B. Requiring the designated representatives of the parties to be given a copy of the protective order and to have the provisions of that protective order explained to them by a solicitor;
- C. Confirming the Order did not affect any implied undertaking;
- D. Stipulating that “Confidential Information shall be used solely for the purpose of within the [sic] proceeding and may not be used for any other purpose whatsoever, except with leave of the Court”;

- E. Stating the obligation of maintaining confidentiality of designated confidential information persists after termination of the proceeding; and
- F. Requiring the destruction of all copies of designated confidential information within 60 days of a request from a producing party, except for a single copy to be maintained by the parties' outside counsel.

[4] A trial of this action took place in late 2016. In that trial a revised but still identified as confidential, version of the "How It Works" document was filed including highlighted portions, which portions constituted an Agreed Statement of Facts of the parties. The Plaintiffs required Bell to prove the non-highlighted portions. In early 2017, the Judgment and Reasons dismissing the Plaintiffs' claim and Bell's Counterclaim were issued. Both confidential and public reasons were issued.

[5] On December 29, 2017, MediaTube raised an issue about the confidential treatment of certain exhibits and transcripts from the trial. On January 29, 2018, MediaTube filed a notice of motion for a declaration that the disputed exhibits and transcripts are part of the public domain and for an Order that those documents be made available to the public. The trial judge dismissed the motion (*MediaTube Corp. v Bell Canada*, 2018 FC 355) and made the following comments:

[2] During trial, Bell asked that certain documents and testimony be treated as confidential. Some documents contained detailed information about Bell's network design, including locations of key pieces of equipment and interconnections between them. In the absence of objection from MediaTube or NorthVu, and because I was satisfied that the documents in question were confidential, I agreed that they should be treated as confidential. However, I was not asked to, and did not, issue any formal order to

that effect. Also, the specific documents and testimony that Bell considered confidential were not exhaustively identified during the trial...

...

[14] It is undisputed that all of the documents and testimony in issue concern details of Bell's networks, including two documents entitled "How-it-Works"...

[15] Bell raised the issue of confidentiality several times during the trial...

...

[18] I agree with Bell's argument that the issue of the confidentiality of the documents and testimony in question has already been decided and is not subject to reconsideration by me. The issue of confidentiality was raised at trial; MediaTube was present but elected not to respond or object; I considered Bell's request for confidential treatment of information about Bell's network; and, I agreed that such information should indeed be treated as confidential. The information in question was understood throughout the trial to be confidential...

[19] Though no formal evidence was submitted on the issue of confidentiality, and no formal motion was made for a Confidentiality Order, it was clear to me from the documents and testimony at trial that some of the details about Bell's networks are confidential and sensitive. I said as much in my decision on the merits of the trial: *MediaTube Corp v Bell Canada*, 2017 FC 6 at para 183...

[20] The fact that no formal Confidentiality Order was issued does not render null my rulings on confidentiality, and does not impede the application of the principle of *res judicata*: *Noade v Blood Tribe*, 2001 FCT 802 at para 24. In addition, I am concerned about potential negative effects on the efficient conduct of trials in the future if I were to give weight now to Bell's failure to make a formal motion, supported by formal evidence, for a formal Confidentiality Order. Such a motion may indeed be advisable in many cases. However, as I have indicated, I am satisfied that, in this case, the issue of confidentiality was duly raised, considered and decided at trial. The issuance of the order sought by MediaTube, and the consequent loss of confidentiality of Bell's information, would likely prompt future litigants with information that all parties agree is confidential to devote unnecessary

resources to obtain formal Confidentiality Orders. In my view, provided that the requirements for a Confidentiality Order are respected, the need for a formal order at trial should be left to the trial judge...

[21] To the extent that I have discretion to revisit this issue, I am not inclined to change my view. I remain of the view that the information in question is sensitive and confidential. MediaTube argues that, even if details about Bell's networks are confidential, it is not of the kind contemplated for a Confidentiality Order as discussed in *Sierra Club*. MediaTube emphasizes the requirement that Bell establish that it has an important commercial interest in the confidentiality of the information in question, and that this interest cannot merely be specific to the party requesting the order. The interest must be one which can be expressed in terms of a public interest in confidentiality...

[22] Here, I am satisfied that, where a party that finds itself involved in litigation (especially as a defendant in an action that is without merit) and is compelled by the rules of discovery to divulge sensitive and confidential information, there is a strong public interest in that party being able to maintain the confidentiality of that information. Otherwise, no confidential information is safe. I am satisfied that the salutary effects of maintaining the confidentiality of the information in question in the present motion, outweigh its deleterious effects on the right to free expression, including the public interest in open and accessible court proceedings.

[6] After the trial, MediaTube changed its solicitors of record. MediaTube, with the consent of Bell, then sought and were granted an amended protective order by the trial judge to reflect MediaTube's new solicitors of record. The amended protective order was issued on February 20, 2018.

[7] MediaTube commenced an appeal of the trial decision on February 3, 2017. That appeal was dismissed from the bench by the Federal Court of Appeal on June 11, 2019. MediaTube's

application for leave to appeal to the Supreme Court of Canada was dismissed on March 19, 2020.

[8] On April 22, 2021, MediaTube brought another patent infringement action against Bell, but this time the action was brought before the Ontario Superior Court. That claim by MediaTube was dismissed with the following comments:

[2] ...In 2017 the Federal Court adjudicated whether Fibe TV violated MediaTube's patent and found that it did not (*MediaTube Corp. v. Bell Canada*, 2017 FC 6). At that hearing MediaTube ultimately conceded that Fibe TV did not infringe their patent...

[3] Notwithstanding this extensive litigation, MediaTube commenced this action alleging that Fibe TV violates the now expired 477 Patent. Bell appropriately moves to dismiss the action as an abuse of process pursuant to paragraph 21.01(3)(d) and rule 25.11. The current action is an abuse of process because it seeks to re-litigate a matter that was before another court of competent jurisdiction. This pleading alleges that Fibe TV violates the 477 patent. Justice Locke has already concluded that it does not.

...

[6] The proof is in the pudding when one reads Mr. Lloyd's affidavit. This Claim is a collateral attack on the Federal Court proceedings and is an abuse of this court's process. Even if not abusive, the Claim lacks the basic elements of a statement of claim under rule 25.06(1) which requires a recitation of material facts. Those are absent here. I have no hesitation dismissing MediaTube's action.

[9] In the context of that Ontario Superior Court action, a motion for confidentiality was heard and determined (*Mediatube Corp. v Bell Canada*, 2022 ONSC 342). The deciding Associate Judge found that issue estoppel does not apply on that motion as to whether documents and transcripts in the prior Federal Court proceedings are confidential and should be sealed. The Associate Judge then commented:

...I am nevertheless satisfied that a confidentiality and sealing order should issue, and that MediaTube's arguments do not support different treatment in this action of any of the documents and transcripts already subject to confidentiality and sealing orders in the Federal Court proceedings. (para. 6)

[10] The Associate Judge issued an Order dated January 14, 2022, that documents filed by either party that were and remain subject to confidentiality and sealing in this proceeding shall also be subject to confidentiality and sealing in the Ontario Superior Court proceeding.

[11] In March 2023, MediaTube indicated it intended to bring a motion in the Federal Court pursuant to Rule 399 to set aside the earlier trial decision. On May 12, 2023, Associate Judge Milczynski convened a case management conference after MediaTube indicated it intended to share information designated or found confidential with interested parties. Associate Judge Milczynski directed during that case management conference that the "How It Works" document was subject to Justice Locke's February 20, 2018 protective order, and to Justice Locke's March 29, 2018 confidentiality order, and the orders were to be abided by. This was confirmed by Associate Judge Milczynski in writing on May 19, 2023. On June 16, 2023, Associate Judge Milczynski directed again that the "How It Works" document was subject to Justice Locke's March 29, 2018 order as well as the implied undertaking rule.

[12] Bell has provided evidence that MediaTube and Lloyd also made repeated threats to Bell about information and documents that were subject to the protective orders, confidentiality orders and directions described above. These threats included:

- A. counsel to MediaTube and Mr. Lloyd wrote to Bell on May 5, 2023, threatening to publicly disclose the How It Works document and Bell confidential information to interested parties;
- B. MediaTube and Mr. Lloyd on May 19 and May 24, 2023, threatened to publicly disclose the How It Works document by filing it in a public motion record;
- C. MediaTube and Mr. Lloyd wrote to counsel for Bell via e-mail on June 23, 2023, and threatened to publicly disclose the How It Works document and other confidential Bell documents;
- D. MediaTube and Mr. Lloyd wrote to Bell's Board of Directors via e-mail on April 28, 2025, attaching a slide deck containing excerpts from the How It Works document and threatening to publicly disclose it while acknowledging that it was protected by Court orders and directions;
- E. MediaTube and Mr. Lloyd wrote to Bell's Board of Directors on May 2, 2025, threatening to disclose Bell's confidential information;
- F. MediaTube and Mr. Lloyd wrote to Bell's Board of Directors on May 9, 2025, attaching confidential discovery transcripts, confidential answers to undertakings, and a confidential letter produced in this proceeding and threatened to publicly disclose them;
- G. MediaTube and Mr. Lloyd wrote to Bell's Board of Directors via e-mail on May 29, 2025, threatening to disclose Bell's designated confidential information to the

U.S. Department of Justice (DOJ) and the Federal Communications Commission (FCC) as well as to the U.S. media. The threat that was subsequently realised;

- H. on June 5, 2025, MediaTube and Mr. Lloyd wrote to Bell's Board of Directors via e-mail threatening to disclose additional Bell confidential information to U.S. and Canadian regulatory agencies and media outlets.

II. The Applicable Law

[13] Except in urgent circumstances, the determination whether a person is guilty of contempt requires a two-stage process in accordance with Rule 467 of the *Federal Courts Rules*, SOR/98-106 (the "Rules"). The first stage in the process requires a motion for an Order requiring the alleged contemnor to appear before a judge at a determined time and place to address the alleged contempt and present any defence. This first stage may be referred to as a motion for a show cause order. It is only if this motion for a show cause order is granted that the proceeding will advance to the second stage, a hearing before a judge at which proof of the alleged acts of contempt will be presented and at which the alleged contemnor will have the opportunity to present their defence (*Planet Fitness Inc. v. Planet Fitness Franchising LLC*, 2024 FC 1312 at para. 27).

[14] On a motion for a show cause order the moving party must satisfy the Court that there is a *prima facie* case that contempt has been committed. As stated in *Direct Source Special Products Inc. v. Sony Music Canada Inc.*, 2005 FC 1362 at para. 4:

On such motion, in order to grant the show cause order sought, the Court must determine only the threshold issue of whether the evidence establishes a *prima facie* case that the actions of the alleged contemnor have been committed and that they constitute contempt deserving of sanction of this Court.

[15] The threshold for issuing a show cause order is low (*Bellegarde v. Carry The Kettle First Nation*, 2023 FC 890 at para.37) in the sense that the moving party need only put forward evidence that there is a court order or process, that the alleged contemnor had knowledge of the order or process and deliberately acted in contravention of that order or process. The motion for a show cause order is not the appropriate venue for arguing the merits of the contempt proceeding or what may be valid defences (*Direct Source Special Products Inc, supra*).

[16] Rule 466 lists a number of actions that may constitute contempt including but not limited to, disobeying a process or order of the Court. The Federal Court of Appeal has confirmed that contempt is not limited to breach of an order or direction of a court but includes a broad range of actions with the effect of obstructing justice or impairing the authority or dignity of the court (*Professional Institute of the Public Service of Canada v Irene J Bremsak*, 2013 FCA 214 at para. 44; *Njoroge v Canada (Attorney General)*, 2023 FCA 98 at paras. 10-11).

[17] Critical to effective discovery in an action is the confidence of a disclosing party in the Court protection of confidential information. As Justice Locke held in *MediaTube Corp. v. Bell Canada*, 2018 FC 355 at paragraph 22:

...where a party that finds itself involved in litigation (especially as a defendant in an action that is without merit) and is compelled by the rules of discovery to divulge sensitive and confidential information, there is a strong public interest in that party being able

to maintain the confidentiality of that information. Otherwise, no confidential information is safe.

[18] A pattern of behaviour that runs counter to the strong public interest of a party being able to maintain confidentiality of sensitive and confidential information disclosed in discovery threatens to interfere with the orderly administration of justice and impair the authority of the Court.

[19] In respect of a breach of a Court order or process, the moving party on a motion for a show cause order must put forward by evidence a *prima facie* case that:

1. the order alleged to have been breached “must state clearly and unequivocally what should and should not be done;
2. the party alleged to have breached the order must have had actual knowledge of it; and
3. the party allegedly in breach must have intentionally done the act that the order prohibits or intentionally failed to do the act that the order compels.

[20] To establish that the alleged contemnor has intentionally done the act that the order or direction prohibits there is no requirement to establish an intent to disobey the court order or process. It is sufficient to put forth evidence of an intentional act or omission that is in fact a breach of the order that founds the alleged act of contempt (*Planet Fitness Inc. supra* at paras. 30-31).

III. Application on this motion

[21] The issues to be determined on this motion is thus whether Bell has put forth evidence to establish a *prima facie* case that MediaTube and/or Lloyd are in contempt by:

- A. Disobeying a process or order of the Court (Rule 466(b)); and/or
- B. Acting in such a way as to interfere with the orderly administration of justice or impair the authority or dignity of the Court (Rule 466(c)).

[22] It is not an issue on this motion to show cause to determine whether the alleged contemnor has contrary evidence or a defence to the alleged contempt.

[23] On the evidence presented on this motion Bell has established a *prima facie* case that MediaTube and Lloyd have disobeyed a process or order of the Federal Court and provided evidence that:

1. the protective order of Associate Judge Milczynski dated October 2, 2014, the amended protective order of Justice Locke (as he then was) dated February 20, 2018, and the confidentiality order of Justice Locke dated March 29, 2018 (bearing neutral citation 2018 FC 355) and the Directions regarding confidentiality by Associate Judge Milczynski dated May 12, 2023, May 19, 2023, and June 16, 2023, (collectively the “Orders”) state clearly and unequivocally what should and should not be done, specifically with respect to confidentiality of documents including the “How It Works” documents;

2. MediaTube as a party to the litigation and through its representative Lloyd, and Lloyd in his personal capacity had actual knowledge of the Orders. This was reinforced as recently as January 14, 2022, when the Ontario Superior Court issued a confidentiality and sealing Order reaffirming confidentiality in the material that was subject to the Orders, and again in 2023 in the Directions regarding confidentiality dated May 12, 2023, May 19, 2023, and June 16, 2023, by Associate Judge Milczynski; and
3. Lloyd as a representative for MediaTube and in his personal capacity intentionally disclosed information and documents, and threatened to disclose documents identified as confidential which acts were contrary to the Orders specifically:
 - on April 22, 2021, Lloyd relied upon the “How It Works” document for the improper and collateral purpose of commencing a patent infringement action in the Ontario Superior Court;
 - around October 2023, Lloyd provided the “How It Works” document to the Ontario Superior Court and Crown prosecutors in furtherance of three private prosecutions brought against Bell and its in-house counsel;
 - on May 8, 2025, MediaTube and Lloyd posted a press release through Canada NewsWire representing that Bell’s confidential information, including excerpts from the “How It Works” document, were obtained from publicly available sources, and stating that the documents were available from Lloyd upon request;

- on or around May 8, 2025, MediaTube and Lloyd disseminated the above mentioned press release on multiple pages on www.reddit.com, www.x.com, and www.marketwatch.com;
- on May 9, 2025, MediaTube and Lloyd wrote to Bell's Board of Directors attaching confidential discovery transcripts, confidential answers to undertakings, and a confidential letter produced in this action and threatening to publicly disclose them;
- on or around May 14, 2025, MediaTube and Lloyd disclosed Bell's designated confidential information to the U.S. Securities and Exchange Commission and to U.S. media outlets;
- on May 15, 2025, MediaTube and Mr. Lloyd attempted to file a motion record containing the How It Works document publicly, representing to the Court registry that the information was not confidential;
- MediaTube and Lloyd violated the protective order by failing to comply with Bell's March 26, 2020 request pursuant to s. 18 of the protective order that MediaTube and Mr. Lloyd destroy all copies of Bell's confidential information;
- on June 11, 2025, MediaTube and Mr. Lloyd attempted to file Bell's designated confidential information publicly, representing to the Court that the information was not confidential.

[24] Similarly, on the evidence presented on this motion Bell has established a *prima facie* case that MediaTube and Lloyd have acted in such a way as to interfere with the orderly administration of justice and impaired the authority or dignity of the Court by repeatedly threatening to disclose information or documents subject to confidentiality restrictions pursuant to the Orders known to MediaTube and Lloyd. Specifically, the threats established on this motion are:

- A. on May 5, 2023, counsel to MediaTube and Mr. Lloyd wrote to Bell threatening to publicly disclose the “How It Works” document and Bell confidential information to interested parties;
- B. on May 19 and May 24, 2023, MediaTube and Lloyd threatened to publicly disclose the “How It Works” document by filing it in a public motion record;
- C. on June 23, 2023, MediaTube and Lloyd wrote to counsel for Bell via e-mail and threatened to publicly disclose the “How It Works” document and other confidential Bell documents;
- D. on April 28, 2025, MediaTube and Lloyd wrote to Bell’s Board of Directors via e-mail attaching a slide deck containing excerpts from the “How It Works” document and threatening to publicly disclose it while acknowledging that it was protected by Court orders and directions;
- E. on May 2, 2025, MediaTube and Lloyd wrote to Bell’s Board of Directors threatening to disclose Bell’s confidential information;

- F. on May 9, 2025, MediaTube and Lloyd wrote to Bell's Board of Directors attaching confidential discovery transcripts, confidential answers to undertakings, and a confidential letter produced in this proceeding and threatened to publicly disclose them;
- G. on May 29, 2025, MediaTube and Lloyd wrote to Bell's Board of Directors via e-mail threatening to disclose Bell's designated confidential information to the U.S. Department of Justice (DOJ) and the Federal Communications Commission (FCC) as well as to the U.S. media. That threat that was subsequently realised;
- H. on June 5, 2025, MediaTube and Lloyd wrote to Bell's Board of Directors via e-mail threatening to disclose additional Bell confidential information to U.S. and Canadian regulatory agencies and media outlets.

[25] Bell has established a *prima facie* case that MediaTube and Lloyd's pattern of behaviour of repeatedly threatening to disclose confidential information, whether or not actually disclosed, undermines the public interest that a party is seen to be able to maintain confidentiality of sensitive and confidential information disclosed through discovery. As a consequence of undermining that public interest, the orderly administration of justice and authority of the Court is impaired.

ORDER in T-705-13

THIS COURT ORDERS that:

1. The Plaintiff by Douglas Lloyd its corporate representative and Douglas Lloyd in his personal capacity shall appear before a presiding judge at a date and time to be set by the Trial Administrator and be prepared to:
 - a. Hear proof of the acts of contempt set out hereafter, with which they are charged;
 - b. Present any defence that they may have to the charges; and
 - c. Speak to the Defendants' submissions on an appropriate sentence if they are found to be in contempt.

2. The acts with which the Plaintiff and Douglas Lloyd are charged are that, by their conduct described below, they:
 - a. on April 22, 2021, relied upon the "How It Works" document for the improper and collateral purpose of commencing a patent infringement action in the Ontario Superior Court;
 - b. on May 5, 2023, counsel to MediaTube and Mr. Lloyd wrote to Bell, threatening to publicly disclose the "How It Works" document and Bell confidential information with interested parties;

- c. on May 19, 2023, MediaTube and Mr. Lloyd threatened to publicly disclose the “How It Works” document by filing it in a public motion record;
- d. on May 24, 2023, MediaTube and Mr. Lloyd threatened to publicly disclose the “How It Works” document by filing it in a public motion record;
- e. on June 23, 2023, MediaTube and Mr. Lloyd wrote to counsel for Bell via e-mail and threatened to publicly disclose the “How It Works” and other confidential Bell documents;
- f. around October 2023, Lloyd provided the “How It Works” document to the Ontario Superior Court and Crown prosecutors in furtherance of three private prosecutions brought against Bell and its in-house counsel;
- g. on April 28, 2025, MediaTube and Mr. Lloyd wrote to Bell’s Board of Directors via e-mail, attaching a slide deck containing excerpts from the “How It Works” document and threatening to publicly disclose it while acknowledging that it was protected by Court orders and directions;
- h. on May 2, 2025, MediaTube and Mr. Lloyd wrote to Bell’s Board of Directors, threatening to disclose Bell’s confidential information;
- i. on May 8, 2025, MediaTube and Mr. Lloyd posted a press release through Canada NewsWire falsely representing that Bell’s confidential information, including excerpts from the “How It Works” document, were obtained from

publicly available sources, and stating that the documents were available from Mr. Lloyd upon request;

- j. on or around May 8, 2025, MediaTube and Mr. Lloyd disseminated the press release on multiple pages on www.reddit.com, www.x.com, and www.marketwatch.com;
- k. on May 9, 2025, MediaTube and Mr. Lloyd wrote to Bell's Board of Directors attaching confidential discovery transcripts, confidential answers to undertakings, and a confidential letter produced in this action and threatening to publicly disclose them;
- l. on or around May 14, 2025, MediaTube and Mr. Lloyd disclosed Bell's designated confidential information to the U.S. Securities and Exchange Commission and to U.S. media outlets;
- m. on May 15, 2025, MediaTube and Mr. Lloyd attempted to file a motion record containing the "How It Works" document publicly, representing to the Court registry that the information was not confidential;
- n. MediaTube and Mr. Lloyd violated the protective order by failing to comply with Bell's March 26, 2020 request pursuant to s. 18 of the protective order that MediaTube and Mr. Lloyd destroy all copies of Bell's confidential information;

- o. on May 29, 2025, MediaTube and Mr. Lloyd wrote to Bell's Board of Directors via e-mail threatening to disclose Bell's designated confidential information to the U.S. Department of Justice (DOJ) and the Federal Communications Commission (FCC) as well as to the U.S. media. On or around May 30, 2025, MediaTube and Mr. Lloyd disclosed Bell's confidential information to U.S. regulatory agencies including the SEC, DOJ, and FCC, the Ontario Securities Commission, and U.S. and Canadian media outlets;
 - p. on June 5, 2025, MediaTube and Mr. Lloyd wrote to Bell's Board of Directors via e-mail threatening to disclose additional Bell confidential information to U.S. and Canadian regulatory agencies and media outlets;
 - q. on June 11, 2025, MediaTube and Mr. Lloyd attempted to file Bell's designated confidential information publicly, representing to the Court that the information was not confidential.
3. The issue of costs shall be addressed by the parties before the Hearings Judge at the stage of the future hearing of the contempt proceeding.

"Michael D. Crinson"

Associate Judge

FEDERAL COURT
SOLICITORS OF RECORD

DOCKET: T-705-13

STYLE OF CAUSE: MEDIATUBE CORP. AND, NORTHVU INC. v BELL
CANADA AND, BELL ALIANT REGIONAL
COMMUNICATIONS, LIMITED PARTNERSHIP

**MATTER CONSIDERED AT TORONTO, ONTARIO WITHOUT PERSONAL
APPEARANCE OF THE PARTIES**

ORDER AND REASONS: CRINSON A.J.

DATED: NOVEMBER 12, 2025

WRITTEN SUBMISSIONS BY:

Douglas Lloyd (in his personal
capacity)

FOR THE PLAINTIFFS/
DEFENDANTS BY COUNTERCLAIM

Steven Mason
James S.S. Holtom
Samantha Wasserman

FOR THE DEFENDANTS/
PLAINTIFFS BY COUNTERCLAIM

SOLICITORS OF RECORD:

McCarthy Tétrault LLP
Toronto, ON

FOR THE DEFENDANTS/
PLAINTIFFS BY COUNTERCLAIM