


This is Exhibit D referred to in the
affidavit of Annelis K. Thorsen, sworn
before me, this 23rd day of
September, 2004.


A Commissioner for Taking Affidavits, etc.

**ONTARIO
SUPERIOR COURT OF JUSTICE**

BETWEEN:

SHEILA WILSON

Plaintiff

- and -

SERVIER CANADA INC., LES LABORATOIRES SERVIER, SERVIER AMERIQUE,
INSTITUT DE RECHERCHES INTERNATIONALES SERVIER ("I.R.I.S"), SCIENCE
UNION ET CIE, ORIL S.A., SERVIER S.A.S., ARTS ET TECHNIQUES DU PROGRES,
BIOLOGIE SERVIER, INSTITUT DE DEVELOPEMENT ET DE RECHERCHE SERVIER,
ORIL INDUSTRIE, BIO RECHERCHE SERVIER, INSTITUTO DI RICERCA, IDUX,
BIOPHARMA ARTEM, SCIENCE UNION S.A.R.L., LABORATOIRES SERVIER
INDUSTRIE, I.R.I.S. ET CIE DEVELOPEMENT, INFORMATION SERVIER,
SERVIER MONDE, SERVIER INTERNATIONAL,
I.R.I.S. SERVICES S.A.R.L., ADIR, SERVIER R&D BENELUX,
DR. JACQUES SERVIER and BIOFARMA S.A.

Defendants

Proceeding under the *Class Proceedings Act, 1992*

BILL OF COSTS

Item	Description	Total Fees
1.	Initial Research, Contact with Client and Commencement of Proceedings: Meetings with client; initial research and review of medical literature on drugs, causation issues; drafting, reviewing and filing Statement of Claim; internal discussions.	
	Hours billed at firm of Paroian, Raphael between October 1998 and July 1999: 97.8 Lawyers involved: Joel Rochon, Vincent Genova, Craig Houle, Leon Paroian and Raymond Colautti	\$17,100

2.	Preparation For and Attendance at Inaugural Case Conference, September 8, 1999:	
	Meetings in preparation for, consideration of strategy, attendance at case conference re scheduling issues and follow up; notice of change of solicitors	
	Lawyers: Joel Rochon – 8.4 hours @ \$500 = \$4,200 Vincent Genova – 5.9 hours @ \$500 = \$2,950	\$7,150
3.	Client Meetings, Preparation and Review of Plaintiff's Medical File, September 1999 to February 2000:	
	Request for and compile plaintiff medical brief; meetings with client and with physicians re same; obtaining and reviewing medical brief; review of defence medical reports.	
	Lawyers: Joel Rochon – 15.2 hours @ \$500 = \$7,600 Vincent Genova – 3.9 hours @ \$500 = \$1,950	\$9,550
4.	Case Conference, September 24, 1999:	
	Meetings in preparation for, consideration of strategy, attendance at case conference and follow up.	
	Lawyers: Joel Rochon – 4.4 hours @ \$500 = \$2,200 Vincent Genova – 4.7 hours @ \$500 = \$2,350	\$4,550
5.	Examination for Discovery of Plaintiff, October 7, 1999:	
	Meeting with client in preparation for examination for discovery; attendance at examination for discovery of the plaintiff; various discussions, communications with client re undertakings; prepare undertakings.	
	Lawyers: Joel Rochon – 18.4 hours @ \$500 = \$9,200 Vincent Genova – 10.2 hours @ \$500 = \$5,100	\$14,300
6.	Case Conference, October 13, 1999:	
	Meetings in preparation for, consideration of strategy, attendance at case conference re scheduling issues and follow up.	
	Lawyers: Joel Rochon – 1.5 hours @ \$500 = \$1,500 Vincent Genova – 1.5 hours @ \$500 = \$1,500	\$3,000

7.	Preparation of Certification Materials, September 1999 to January 2000:	
	Drafting affidavits, notice of motion, notice, plan of proceeding; review examination transcript; various revisions to certification motion materials; review of medical literature re PPH, VHD and subject drugs; meetings with Dr. Granton; legal research re certification requirements; review defence material challenging jurisdiction of Ontario court; correspondence with counsel re scheduling issues.	
	Lawyers: Joel Rochon – 37.7 hours @ \$500 = \$18,850 Vincent Genova – 34.1 hours @ \$500 = \$17,050	\$35,900
8.	Case Conference, November 23, 1999:	
	Meetings in preparation for, consideration of strategy, attendance at case conference to revise schedule and follow up.	
	Lawyers: Joel Rochon – 4.1 hours @ \$500 = \$2,050 Vincent Genova – 3.2 hours @ \$500 = \$1,600	\$3,650
9.	<i>De Bene Esse</i> Hearing, December 15, 16, 1999:	
	Legal research re <i>de bene esse</i> hearings; preparation of motion materials re same; correspondence with defence counsel re examination dates; preparation for and attendance at <i>de bene esse</i> hearing of plaintiff before Mr. Justice Cumming.	
	Lawyers: Joel Rochon – 28.5 hours @ \$500 = \$14,250 Vincent Genova – 44.9 hours @ \$500 = \$22,450 Law Clerk: Irene Adams – 0.4 hours @ \$100 = \$40	\$36,740
10.	Legal Research re Certification – Legal, Medical and Causation Issues and Meetings Regarding Strategy, December 1999 to July 2000:	
	Legal research re product liability class actions in Canada and U.S.; research potential learned intermediary defence, generic causation, failure to warn, product defect claims, negligence; draft legal memos re above issues; further review of defence motion material; internet research, review of medical literature on PPH, VHD and subject drugs; discussions with experts; attendance at conference on fen-phen litigation; research status of U.S. litigation; research re funding of class actions; various meetings to direct and discuss research results, strategy.	
	Lawyers: Joel Rochon – 32.4 hours @ \$500 = \$16,200	\$83,312.50

	Vincent Genova – 31.5 hours @ \$500 = \$15,750 Doug Lennox – 115 hours @ \$275 = \$31,625 Glyn Hotz – 67.5 hours @ \$225 = \$15,187.50 Ron Hatch – 45.5 hours @ \$100 = \$4,550	
11.	Case Conference, February 14, 2000: Meetings in preparation for, consideration of strategy, attendance at case conference re scheduling of certification motion and follow up.	
	Lawyers: Joel Rochon – 2 hours @ \$500 = \$1,000 Vincent Genova – 2 hours @ \$500 = \$1,000	\$2,000
12.	Research on International Law, Jurisdictional Issues, February to July 2000: Review defence motion material re jurisdiction; research and preparation of legal memoranda on <i>Hague Convention</i> , <i>forum non conveniens</i> , service <i>ex juris</i> , French <i>Code Civil</i> , response of U.S. and Canadian courts to blocking statutes, enforceability of foreign judgments; investigation of corporate structure of Servier Canada and Biofarma; draft legal memos re above issues; review U.S. motion material re jurisdiction; various meetings to discuss results of research findings.	
	Lawyers: Joel Rochon – 8.2 hours @ \$500 = \$4,100 Vincent Genova – 10.2 hours @ \$500 = \$5,100 Doug Lennox – 34.1 hours @ \$275 = \$9,377.50 Glyn Hotz – 36 hours @ \$225 = \$8,100 Ron Hatch – 48 hours @ \$100 = \$4,800	\$31,477.50
13.	Preparation re Certification Motion, April to July 2000: Draft, review and revise supplementary affidavit re service <i>ex juris</i> ; draft certification factum; internal discussions re same; draft certification Order; review of motion material; correspondence with counsel re scheduling, certification motion.	
	Lawyers: Joel Rochon – 30.6 hours @ \$500 = \$15,300 Vincent Genova – 4.7 hours @ \$500 = \$2,350 Doug Lennox – 70 hours @ \$275 = \$19,250 Glyn Hotz – 53.5 hours @ \$225 = \$12,037.5 Ron Hatch – 21 hours @ \$100 = \$2,100	\$51,037.50
14.	Cross-Examination of Marc Milward, April 20, 2000: Review of affidavit; internal discussions in preparation for cross-examination; attendance at cross-examination.	

	Lawyers: Joel Rochon – 8.8 hours @ \$500 = \$4,400 Vincent Genova – 0.5 hours @ \$500 = \$250 Doug Lennox – 23 hours @ \$275 = \$6,325 Glyn Hotz – 21 hours @ \$225 = \$4,725	\$15,700
15.	Undertakings / Refusals Motion re Cross-Examination of Marc Milward, May 11, 2000: Review cross-examination transcript; prepare list of undertakings and refusals; legal research re obligations to answer at cross-examinations; preparation of motion materials on undertakings and refusals; attendance at motion; draft Order; correspondence with counsel to settle Order; research re failure to produce.	
	Lawyers: Joel Rochon – 7 hours @ \$500 = \$3,500 Vincent Genova – 10.6 hours @ \$500 = \$5,300 Doug Lennox – 17 hours @ \$275 = \$4,675 Glyn Hotz – 21 hours @ \$225 = \$4,725 Ron Hatch – 15 hours @ \$100 = \$1,500 Law Clerk: Jose Emiliani – 1 hour @ \$100 = \$100	\$19,800
16.	Cross-Examinations of Sheila Wilson, Vincent Genova and Doug Lennox, May 2000: Prepare for cross-examination; internal meetings to prepare for cross-examinations; attendance at cross-examinations.	
	Lawyers: Joel Rochon – 5 hours @ \$500 = \$2,500 Vincent Genova – 5 hours @ \$500 = \$2,500 Doug Lennox – 5 hours @ \$275 = \$1,375	\$6,375
17.	Meeting with U.S. Co-Counsel, May 2000: Attendance at series of meetings with U.S. co-counsel in Toronto and San Francisco to discuss strategy, challenges and risks of proceeding; travel to and from San Francisco for same.	
	Lawyers: Joel Rochon – 31.5 hours @ \$500 = \$15,750 Doug Lennox – 21.5 hours @ \$275 = \$5,912.50	\$21,662.50
18.	Preparation of Amended Statement of Claim, May 2000:	

	Review of productions and research to date; draft Amended Statement of Claim; various revisions to and meetings to discuss same; draft Order re amendment of claim.	
	Lawyers: Joel Rochon – 1 hour @ \$500 = \$500 Doug Lennox – 1 hour @ \$275 = \$275 Glyn Hotz – 7 hours @ \$225 = \$1,575 Law Clerk: Maureen Wallace – 1 hour @ \$135 = \$135	\$2,485
19.	Certification Motion (Part I), May 30, 31, 2000: Review of plaintiff and defence motion materials; review of defence factum; internal discussions in preparation for certification motion; preparation of submissions; attendance at and arguing of certification motion.	
	Lawyers: Joel Rochon – 22.1 hours @ \$500 = \$11,050 Vincent Genova – 17.5 hours @ \$500 = \$8,750 Doug Lennox – 25 hours @ \$275 = \$6,875 Glyn Hotz – 26 hours @ \$225 = \$5,850 Ron Hatch – 11 hours @ \$100 = \$1,100	\$33,625
20.	Research re National Class, Medical Monitoring and Notice Issues, Preparation of Factum for Second Series of Attendances and Argument at Certification Motion, June to July 2000: Further review of motion material; case conferences with Justice Cumming; legal research re national class actions; legal research re medical screening / monitoring (U.S. and Canadian law); research health insurance legislation and law of subrogation; preparation of legal memoranda on same; internal meetings to discuss results of research; discuss medical screening / monitoring, subrogation issues with counsel for OHIP; various telephone conversations with B.C. and Quebec counsel regarding national class certification; preparation of responding materials and facta re certification of national class, jurisdiction, medical screening / monitoring and notice issues; preparation of notice materials; meetings and discussions with Todd Hilsee; motion to file affidavit; research caselaw on cost and extent of notice, consider requirements for “workable” notice; prepare and compile motion material.	
	Lawyers: Joel Rochon – 59.3 hours @ \$500 = \$29,650 Vincent Genova – 42.1 hours @ \$500 = \$21,050 Doug Lennox – 159 hours @ \$275 = \$43,725 Glyn Hotz – 23 hours @ \$225 = \$5,175 Ron Hatch – 55.3 hours @ \$100 = \$5,530	\$105,670

	Law Clerk: Maureen Wallace – 4 hours @ \$135 = \$540	
21.	Certification / Jurisdiction Motion (Part II), July 12-14, 2000: Preparation for, attendance at and continuation of argument on certification motion.	
	Lawyers: Joel Rochon – 47.3 hours @ \$500 = \$23,650 Vincent Genova – 36.6 hours @ \$500 = \$18,300 Doug Lennox – 59 hours @ \$275 = \$16,225 Ron Hatch – 34 hours @ \$100 = \$3,400	\$61,575
22.	Certification Motion (Part III), July 31, 2000: Preparation for, attendance at and continuation of argument on certification motion on notice issues.	
	Lawyers: Joel Rochon – 5 hours @ \$500 = \$2,500 Vincent Genova – 5 hours @ \$500 = \$2,500 Doug Lennox – 6.5 hours @ \$275 = \$1,787.50 Ron Hatch – 2.2 hours @ \$100 = \$220	\$7,007.50
23.	Follow-Up to Certification Decision, Strategy Meetings and Preparation for Case, September 2000 to January 2001: Review U.S. decision of Judge Bechtle; forward to defendants and Justice Cumming; review certification decision; meetings in preparation for and attendance at case conference on September 13, 2000 re discussion of notice requirements of certification decision; research law on press releases and media communications; prepare draft Order; receive and review notice of appeal; respond to calls from class members and media; drafting of website notice; receive and review Statement of Defence of Servier Canada and Biofarma; preparation and dissemination of notice in various publications.	
	Lawyers: Joel Rochon – 37.7 hours @ \$500 = \$18,850 Vincent Genova – 42.9 hours @ \$500 = \$21,450 Doug Lennox – 93.5 hours @ \$275 = \$25,712.50 Lindsay Lorimer – 1 hour @ \$325 = \$325 Law Clerk: Jose Emiliani – 7.6 hours @ \$100 = \$760	\$67,097.50
24.	Defendants' Motion for Stay of Certification Order Pending Appeal, October 4, 2000:	

	Receive and review defence motion materials; research law on stay applications; draft responding factum; preparation for and attendance at motion.	
	Lawyers: Joel Rochon – 19.4 hours @ \$500 = \$9,700 Vincent Genova – 14.7 hours @ \$500 = \$7,350 Law Clerk: Maureen Wallace – 2.3 hours @ \$135 = \$310.50	\$17,360.50
25.	Defendants’ Motion for Leave to Appeal Certification Order, November 21, 2000: Receive and review defence motion materials; research law re test for leave to appeal; draft responding factum; preparation for and attendance at motion.	
	Lawyers: Joel Rochon – 15 hours @ \$500 = \$7,500 Vincent Genova – 9 hours @ \$500 = \$4,500 Law Clerk: Jose Emiliani – 1.1 hours @ \$100 = \$110	\$12,110
26.	Provincial Health Ministries re Subrogated Claim, January 2001 to December 2002: Research re subrogation issues; investigate contact persons; various discussions, meetings with and correspondence to representatives of provincial health ministries re subrogated claims; draft retainer and contingency agreements re subrogated claims; organize and maintain class member database by province for subrogated claims; create chart listing class members by province of residence for health ministries.	
	Lawyers: Joel Rochon – 75 hours @ \$500 = \$37,500 Vincent Genova – 25 hours @ \$500 = \$12,500 Lindsay Lorimer – 125 hours @ \$325 = \$40,625 Doug Lennox – 25 hours @ \$275 = \$6,875 Silvie Kuppek – 131 hours @ \$225 = \$29,475 Martha Harrison – 15 hours @ \$250 = \$3,750 Sakie Tambakos – 25 hours @ \$200 = \$5,000 Law Clerk: Allison Phillips – 80 hours @ \$125 = \$10,000	\$145,725
27.	Defendants’ Motion for Leave to Appeal Certification Order (Supreme Court of Canada), January to September 2001: Receive and review defence application for leave materials; research law re test for leave	

	to appeal and Supreme Court rules and practice; draft responding memorandum of argument; various revisions and meetings re same; preparation of brief of authorities; search for Ottawa agent and discussions with same; receive and review defence Reply factum; receive and review Objective Summary from Supreme Court; receive Supreme Court decision denying leave; calls with class members, media re Supreme Court decision; draft bill of costs; correspondence with counsel re costs.	
	Lawyers: Joel Rochon – 20 hours @ \$500 = \$10,000 Vincent Genova – 17 hours @ \$500 = \$8,500 Doug Lennox – 95 hours @ \$275 = \$26,125 Lindsay Lorimer – 2.5 hours @ \$325 = \$812.50	\$45,437.50
28.	Motion to Add B.C. Subclass, April 17, 2001: Prepare motion materials; legal research re division of class and creation of subclasses; various discussions with B.C. counsel; preparation for and attendance at motion; preparation of Order.	
	Lawyers: Joel Rochon – 15 hours @ \$500 = \$7,500 Vincent Genova – 12 hours @ \$500 = \$6,000 Doug Lennox – 25 hours @ \$275 = \$6,875 Lindsay Lorimer – 1.5 hours @ \$325 = \$487.50 Law Clerk: Maureen Wallace – 1.5 hours @ \$135 = \$202.50 Jose Emiliani – 1.7 hours @ \$100 = \$170	\$21,235
29.	Review Defence Productions, General Preparation for Discoveries, Case Strategy, February 2001 to November 2001: Receive and review defendants' productions (ongoing); discussions re same; correspondence and calls with counsel re same; preparation of plaintiff affidavit of documents; internal discussions re case strategy; general preparation for discoveries; discussions, meetings with U.S. co-counsel, Levin Fishbein firm re MDL productions, strategy; travel to and from Philadelphia; research re production issues; research on jury notice motion; draft motion material re same.	
	Lawyers: Joel Rochon – 105 hours @ \$500 = \$52,500 Vincent Genova – 59 hours @ \$500 = \$29,500 Doug Lennox – 419 hours @ \$275 = \$115,225 Lindsay Lorimer – 52 hours @ \$325 = \$16,900 Silvie Kuppek – 26 hours @ \$225 = \$5,850 Law Clerk:	\$222,275

	Jose Emiliani – 23 hours @ \$100 = \$2,300	
30.	Motion to Fix Trial Date, June 19, 2001: Prepare motion material for motion to fix trial date; discussions re same; preparation for and attendance at motion.	
	Lawyers: Joel Rochon – 6 hours @ \$500 = \$3,000 Vincent Genova – 7 hours @ \$500 = \$3,500 Doug Lennox – 15 hours @ \$275 = \$4,125	\$10,625
31.	Defendants' Motion to Consolidate with <i>Knowles</i>, July 3, 2001: Receive and review defence motion materials; review <i>Knowles</i> settlement and case material; research law re consolidation and intervention; internal discussions re motion; draft responding materials; preparation for and attendance at motion.	
	Lawyers: Joel Rochon – 14 hours @ \$500 = \$7,000 Vincent Genova – 12 hours @ \$500 = \$6,000 Doug Lennox – 40 hours @ \$275 = \$11,000 Law Clerk: Maureen Wallace – 0.5 hours @ \$135 = \$67.5 Jose Emiliani – 0.4 hours @ \$100 = \$40	\$24,107.5
32.	Fen-Phen Litigation Conference and Meetings with B.C. Sub-Class, Quebec and U.S. Counsel, July 13-18, 2001: Travel to and attendance at fen-phen litigation conference; various meetings with U.S., B.C. sub-class and Quebec counsel re MDL proceedings, strategy.	
	Lawyers: Vincent Genova – 40 hours @ \$500 = \$20,000 Doug Lennox – 32 hours @ \$275 = \$8,800 Silvie Kuppek – 16 hours @ \$225 = \$3,600	\$32,400
33.	Case Conference, July 19, 2001: Preparation for and attendance at case conference; follow up memo, discussions.	
	Lawyers: Joel Rochon – 3 hours @ \$500 = \$1,500 Vincent Genova – 3 hours @ \$500 = \$1,500 Doug Lennox – 10 hours @ \$275 = \$2,750	\$5,750

34.	Motion for Leave to Appeal Decision Denying Consolidation with <i>Knowles</i>, August 17, 2001: Receive and review defence motion materials; research leave issues; draft responding material; preparation for and attendance at motion.		
	<table border="0" style="width: 100%;"> <tr> <td style="width: 70%;"> Lawyers: Joel Rochon – 5 hours @ \$500 = \$2,500 Vincent Genova – 4 hours @ \$500 = \$2,000 Doug Lennox – 25 hours @ \$275 = \$6,875 Silvie Kuppek – 7 hours @ \$225 = \$1,575 Law Clerk: Maureen Wallace – 1.5 hours @ \$135 = \$202.5 </td><td style="width: 30%; text-align: right; vertical-align: top;">\$13,152.50</td></tr> </table>	Lawyers: Joel Rochon – 5 hours @ \$500 = \$2,500 Vincent Genova – 4 hours @ \$500 = \$2,000 Doug Lennox – 25 hours @ \$275 = \$6,875 Silvie Kuppek – 7 hours @ \$225 = \$1,575 Law Clerk: Maureen Wallace – 1.5 hours @ \$135 = \$202.5	\$13,152.50
Lawyers: Joel Rochon – 5 hours @ \$500 = \$2,500 Vincent Genova – 4 hours @ \$500 = \$2,000 Doug Lennox – 25 hours @ \$275 = \$6,875 Silvie Kuppek – 7 hours @ \$225 = \$1,575 Law Clerk: Maureen Wallace – 1.5 hours @ \$135 = \$202.5	\$13,152.50		
35.	Motion to Amend Claim, September 12, 2001: Draft Third Amended Statement of Claim; research re common enterprise liability; prepare motion material re amendment of claim; attendance with Justice Cumming re same; draft Order; coordinate issuing and service of amended claim.		
	<table border="0" style="width: 100%;"> <tr> <td style="width: 70%;"> Lawyers: Joel Rochon – 5 hours @ \$500 = \$2,500 Vincent Genova – 5 hours @ \$500 = \$2,500 Doug Lennox – 11 hours @ \$275 = \$3,025 Law Clerk: Maureen Wallace – 1.5 hours @ \$135 = \$202.5 </td><td style="width: 30%; text-align: right; vertical-align: top;">\$8,227.50</td></tr> </table>	Lawyers: Joel Rochon – 5 hours @ \$500 = \$2,500 Vincent Genova – 5 hours @ \$500 = \$2,500 Doug Lennox – 11 hours @ \$275 = \$3,025 Law Clerk: Maureen Wallace – 1.5 hours @ \$135 = \$202.5	\$8,227.50
Lawyers: Joel Rochon – 5 hours @ \$500 = \$2,500 Vincent Genova – 5 hours @ \$500 = \$2,500 Doug Lennox – 11 hours @ \$275 = \$3,025 Law Clerk: Maureen Wallace – 1.5 hours @ \$135 = \$202.5	\$8,227.50		
36.	Motion re Production of Documents and Examinations for Discovery, September 12, 2001: Preparation of motion material re production of Schedule A documents of Servier Canada and Biofarma and scheduling of examinations for discovery; preparation for and attendance at motion; follow up discussions and correspondence re discovery.		
	<table border="0" style="width: 100%;"> <tr> <td style="width: 70%;"> Lawyers: Joel Rochon – 7 hours @ \$500 = \$3,500 Vincent Genova – 4 hours @ \$500 = \$2,000 Doug Lennox – 15 hours @ \$275 = \$4,125 </td><td style="width: 30%; text-align: right; vertical-align: top;">\$9,625</td></tr> </table>	Lawyers: Joel Rochon – 7 hours @ \$500 = \$3,500 Vincent Genova – 4 hours @ \$500 = \$2,000 Doug Lennox – 15 hours @ \$275 = \$4,125	\$9,625
Lawyers: Joel Rochon – 7 hours @ \$500 = \$3,500 Vincent Genova – 4 hours @ \$500 = \$2,000 Doug Lennox – 15 hours @ \$275 = \$4,125	\$9,625		
37.	Motions in Chambers re Implied Undertaking Rule, Request to Examine Third Party, Further Case Management, October 9, 2001: Preparation for implied undertaking motion, defence request to examine third party; correspondence with Justice Cumming re same; in chambers attendance re same.		

	Lawyers: Joel Rochon – 3 hours @ \$500 = \$1,500 Vincent Genova – 1.5 hours @ \$500 = \$750	\$2,250
38.	Attendance Before Justice Cumming re Contempt, November 7, 2001: Prepare for and attend at contempt hearing; meeting re same.	
	Lawyers: Joel Rochon – 0.5 hours @ \$500 = \$250 Vincent Genova – 4.5 hours @ \$500 = \$2,250	\$2,500
39.	Case Conference, November 9, 2001: Prepare for and attend at case conference re scheduling examinations for discovery; internal meetings re same.	
	Lawyers: Joel Rochon – 3 hours @ \$500 = \$1,500 Vincent Genova – 3 hours @ \$500 = \$1,500	\$3,000
40.	Motion for Leave to Issue Third Party Claim, November 21, 2001: Receive and review defence motion materials; research law re third party proceedings, extending time for issuing same; draft responding material; preparation for and attendance at motion.	
	Lawyers: Joel Rochon – 7 hours @ \$500 = \$3,500 Doug Lennox – 47 hours @ \$275 = \$12,925 Silvie Kuppek – 1 hour @ \$225 = \$225	\$16,650
41.	Motion Validating Service of Statement of Claim, November 21, 2001: Preparation of motion material validating service of the Statement of Claim on Biofarma; preparation for and attendance at motion.	
	Lawyers: Joel Rochon – 5 hours @ \$500 = \$2,500 Doug Lennox – 8 hours @ \$275 = \$2,200	\$4,700
42.	Motion re Conduct of Discoveries, November 22, 2001: Prepare motion material re conduct of discoveries and involvement of Tom Smith at discoveries for assistance; various discussions, meetings with Tom Smith; receive and review responding material; preparation for and attendance at motion; draft Order re participation of Tom Smith; discussions re express undertaking.	

	Lawyers: Joel Rochon – 10 hours @ \$500 = \$5,000 Vincent Genova – 3 hours @ \$500 = \$1,500 Doug Lennox – 32 hours @ \$275 = \$8,800	\$15,300
43.	Case Conference and Contempt Hearing re Non-Attendance at Discoveries November 26-27, 2001: Review productions and preparation for examination for discovery of Philippe Calais; various discussions re same; attendance at case conference re failure of defendants to produce Philippe Calais for examination for discovery; preparation for and attendance at contempt hearing; internal discussions, meeting with Tom Smith re same.	
	Lawyers: Joel Rochon – 30 hours @ \$500 = \$15,000 Vincent Genova – 20 hours @ \$500 = \$10,000 Doug Lennox – 30 hours @ \$275 = \$8,250 Lindsay Lorimer – 7 hours @ \$325 = \$2,275	\$35,525
44.	Defendants' Motion for Stay of Order re Participation of Tom Smith, November 28, 2001: Receive and review defence motion materials; research law on stay applications; draft responding factum; preparation for and attendance at motion; draft Orders; follow up correspondence with defence counsel, Tom Smith; cost submissions.	
	Lawyers: Joel Rochon – 15 hours @ \$500 = \$7,500 Vincent Genova – 10 hours @ \$500 = \$5,000 Doug Lennox – 20 hours @ \$275 = \$5,500	\$18,000
45.	Motion re Validation of Service on New Defendants, November 30, 2001: Preparation of motion material re validating service of Third Amended Statement of Claim on new defendants; preparation for and attendance at case motion; draft Order.	
	Lawyers: Joel Rochon – 3 hours @ \$500 = \$1,500 Vincent Genova – 3 hours @ \$500 = \$1,500 Doug Lennox – 6 hours @ \$275 = \$1,650	\$4,650
46.	Defendants' and PMC Motions re MDL Productions & PTO 27, December 2001 to February 2002: Receive notice of defendants' motion in U.S. re PTO 27 to prevent MDL productions from being accessed in Canada; review U.S. motion material; various discussions and	

	meetings with Levin firm, Tom Smith re U.S. motion; prepare responding material; receive results of preliminary ruling of Special Master; correspondence, discussions with Undercoffler, PMC re bringing motion to clarify PTO 27 to allow production of MDL documents in Canada; receive ruling of Judge Bartle.	
	Lawyers: Joel Rochon – 14.5 hours @ \$500 = \$7,250 Vincent Genova – 3 hours @ \$500 = \$1,500 Doug Lennox – 22 hours @ \$275 = \$6,050	\$14,800
47.	Appeal of Decision Denying Leave to Issue Third Party Claim (Court of Appeal), December 12, 2001: Receive and review defence appeal materials; research appeal issues raised by defendants; draft responding material; preparation for appeal; attendance for cost submissions.	
	Lawyers: Joel Rochon – 10 hours @ \$500 = \$5,000 Vincent Genova – 4 hours @ \$500 = \$2,000 Doug Lennox – 11 hours @ \$275 = \$3,025 Lindsay Lorimer – 8 hours @ \$325 = \$2,600	\$12,625
48.	Defendants' Motion re Conduct of Discoveries, December 14, 2001: Receive and review defence motion material re variation or setting aside of Order permitting Tom Smith to participate in examinations for discovery; preparation for and attendance at case conference / motion.	
	Lawyers: Joel Rochon – 7 hours @ \$500 = \$3,500 Vincent Genova – 5 hours @ \$500 = \$2,500 Doug Lennox – 5 hours @ \$275 = \$1,375 Lindsay Lorimer – 2 hours @ \$325 = \$650	\$8,025
49.	Examination for Discovery of Brigitte Riveline, December 17-20, 2001: Review productions; compilation of hot documents for examination; preparation of questions for examination for discovery; attendance at and conducting examination; various discussions re same; examination arrangements with Canadian embassy in Paris; travel and accommodations arrangements; travel to and from Paris.	
	Lawyers: Joel Rochon – 115 hours @ \$500 = \$57,500 Vincent Genova – 120 hours @ \$500 = \$60,000 Doug Lennox – 54 hours @ \$275 = \$14,850 Lindsay Lorimer – 13 hours @ \$325 = \$4,225	\$140,872.50

	<p>Silvie Kuppek – 17 hours @ \$225 = \$3,825</p> <p>Law Clerk: Maureen Wallace – 3.5 hours @ \$135 = \$472.5</p>	
50.	<p>Motion for Leave to Appeal Decision re Conduct of Discoveries, January 9, 2002:</p> <p>Receive and review defence motion materials; draft responding material; various discussions re same; preparation for and attendance at motion.</p>	
	<p>Lawyers: Joel Rochon – 11 hours @ \$500 = \$5,500 Vincent Genova – 3 hours @ \$500 = \$1,500 Doug Lennox – 16 hours @ \$275 = \$4,400 Silvie Kuppek – 3 hours @ \$225 = \$675</p> <p>Law Clerk: Stephanie Lambert – 3 hours @ \$100 = \$300</p>	\$12,375
51.	<p>Examination for Discovery of Marc Milward, Brigitte Riveline, January 28, 2002 to February 1, 2002:</p> <p>Review productions, transcripts of examinations; preparation of hot documents and questions for examinations; various discussions re same; attendance at and conducting examinations; examination, travel and accommodations arrangements; travel to and from Paris.</p>	
	<p>Lawyers: Joel Rochon – 115 hours @ \$500 = \$57,500 Vincent Genova – 125 hours @ \$500 = \$62,500 Doug Lennox – 26 hours @ \$275 = \$7,150 Lindsay Lorimer – 14 hours @ \$325 = \$4,550 Silvie Kuppek – 6 hours @ \$225 = \$1,350</p> <p>Law Clerk: Maureen Wallace – 11.5 hours @ \$135 = \$1,552.5</p>	\$134,602.50
52.	<p>Case Conference, February 5, 2002:</p> <p>Preparation for and attendance at case conference; internal discussions re same.</p>	
	<p>Lawyers: Joel Rochon – 3.3 hours @ \$500 = \$1,650 Vincent Genova – 3 hours @ \$500 = \$1,500</p>	\$3,150
53.	<p>Motion for Stay / Dismissal of Action by New Defendants, March 6, 7, 2002:</p>	

	Receive and review defence motion materials re stay / dismissal of action on jurisdictional grounds; review certification decision of Justice Cumming; research international law on jurisdiction, service; draft responding material; internal discussions re same; preparation for and attendance at motion.	
	<p>Lawyers:</p> <p>Joel Rochon – 34 hours @ \$500 = \$17,000</p> <p>Vincent Genova – 28 hours @ \$500 = \$14,000</p> <p>Doug Lennox – 58.5 hours @ \$275 = \$16,087.50</p> <p>Lindsay Lorimer – 20 hours @ \$325 = \$6,500</p> <p>Law Clerk:</p> <p>Maureen Wallace – 3.5 hours @ \$135 = \$472.50</p> <p>Stephanie Lambert – 2.3 hours @ \$100 = \$230</p>	\$54,290
54.	<p>Undertakings / Refusals Motion re Examination for Discovery of Brigitte Riveline, March 4, 5, 8, 2002:</p> <p>Review of transcripts; preparation of motion material and list of undertakings and refusals; correspondence with counsel re same; attendance at case conference re undertakings motion; preparation for and attendance at motion; draft Order; in chambers conference to settle Order; revisions to Order; research re tactics for discovery abuse.</p>	
	<p>Lawyers:</p> <p>Joel Rochon – 38 hours @ \$500 = \$19,000</p> <p>Vincent Genova – 36 hours @ \$500 = \$18,000</p> <p>Doug Lennox – 15.4 hours @ \$275 = \$4,235</p> <p>Lindsay Lorimer – 67 hours @ \$325 = \$21,775</p> <p>Silvie Kuppek – 6 hours @ \$225 = \$1,350</p> <p>Law Clerk:</p> <p>Maureen Wallace – 3 hours @ \$135 = \$405</p> <p>Jose Emiliani – 0.3 hours @ \$100 = \$30</p>	\$64,795
55.	<p>Document Review and Trial Preparation, March 2002 to February 2003:</p> <p>General review documentary productions of new defendants; organize and index boxes of documents; compiling of hot documents binders; general discovery preparations; Summation database review; various internal discussions re key documents; draft organizational chart; various meetings and calls with U.S. counsel; travel to and from San Francisco re same; discussions with senior trial lawyers re trial; conference calls with Justice Cumming, counsel; various correspondence with counsel; coordinate “Day in the Life” video of class member; review of various examination for discovery transcripts; list and summarize exhibits to same; compile Orders / Decisions binder; continued review of medical literature; review of Health Canada ADR listings; draft chronology of events re drugs and Health Canada activity; review product monographs; research reporting obligations of manufacturer pursuant to <i>Food and Drugs Act</i> and associated Regulations;</p>	

	draft memorandum of law re same; internal discussions re same and with counsel for Health Canada.	
	<p>Lawyers:</p> <p>Joel Rochon – 359 hours @ \$500 = \$179,500</p> <p>Vincent Genova – 211 hours @ \$500 = \$105,500</p> <p>Annelis Thorsen – 318 hours @ \$375 = \$119,250</p> <p>Lindsay Lorimer – 328 hours @ \$325 = \$106,600</p> <p>Doug Lennox – 78 hours @ \$275 = \$21,450</p> <p>Martha Harrison – 65 hours @ \$250 = \$16,250</p> <p>Sylvie Kuppek – 7 hours @ \$225 = \$1,575</p> <p>Sakie Tambakos – 142 hours @ \$200 = \$28,400</p> <p>Law Clerks and Students:</p> <p>Maureen Wallace – 50.6 hours @ \$135 = \$6,831</p> <p>Ali Marta – 347 hours @ \$100 = \$34,700</p> <p>Beth Marta – 400 hours @ \$100 = \$40,000</p> <p>Jose Emiliani – 33 hours @ \$100 = \$3,300</p>	\$663,356
56.	<p>Undertakings / Refusals Motion re Examination for Discovery of Marc Milward, April 2, 2002:</p> <p>Preparation of motion material and list of undertakings and refusals; preparation of chart re corporate structure; internal discussions; correspondence with counsel re chart; preparation for and attendance at motion; draft Order; follow up review of answers to undertakings.</p>	
	<p>Lawyers:</p> <p>Joel Rochon – 8 hours @ \$500 = \$4,000</p> <p>Vincent Genova – 7 hours @ \$500 = \$3,500</p> <p>Doug Lennox – 10 hours @ \$275 = \$2,750</p> <p>Lindsay Lorimer – 30 hours @ \$325 = \$9,750</p> <p>Law Clerk:</p> <p>Maureen Wallace – 10.5 hours @ \$135 = \$1,417.5</p>	\$21,417.50
57.	<p>Motion by New Defendants re National Class, April 2, 3, 5, 2002:</p> <p>Receive and review defence motion materials challenging jurisdiction of court re national class; research law on national class actions; draft responding factum; internal discussions re same; compile brief of authorities; preparation for and attendance at motion.</p>	
	<p>Lawyers:</p> <p>Joel Rochon – 60 hours @ \$500 = \$30,000</p> <p>Vincent Genova – 35 hours @ \$500 = \$17,500</p> <p>Doug Lennox – 39 hours @ \$275 = \$10,725</p> <p>Lindsay Lorimer – 7 hours @ \$325 = \$2,275</p>	\$60,830

	<p>Law Clerk: Maureen Wallace – 2 hours @ \$135 = \$270 Jose Emiliani – 0.6 hours @ \$100 = \$60</p>	
58.	<p>Continued Examination for Discovery of Brigitte Riveline, April 16-19, 22-26, 2002:</p> <p>Review productions, transcripts of examinations; preparation of hot documents and questions for examination; various discussions re same; attendance at and conducting examination; examination, travel and accommodations arrangements; travel to and from Paris.</p>	
	<p>Lawyers: Joel Rochon – 205 hours @ \$500 = \$102,500 Vincent Genova – 14 hours @ \$500 = \$7,000 Doug Lennox – 125 hours @ \$275 = \$34,375 Lindsay Lorimer – 30 hours @ \$325 = \$9,750 Silvie Kuppek – 8 hours @ \$225 = \$1,800</p> <p>Law Clerk: Maureen Wallace – 7.4 hours @ \$135 = \$999</p>	\$156,424
59.	<p>Motion re Release of Documents from France, April 23, 2002:</p> <p>Review motion materials and Request for Judicial Assistance re documentary production; discussions with counsel re same; attendance at motion.</p>	
	<p>Lawyers: Vincent Genova – 4 hours @ \$500 = \$2,000 Lindsay Lorimer – 3 hours @ \$325 = \$975</p>	\$2,975
60.	<p>Consultation with Experts re Expert Reports, April 2002 to February 2003:</p> <p>Research potential experts; various meetings and discussions with plaintiff experts, U.S. co-counsel re expert reports; compiling of key documents for expert review; review and revise reports in consultation with experts; communications with experts advising of submission dates for reports, responding and reply material; review defence experts and summarize same; QL research re defence experts; internal discussions and with U.S. co-counsel and plaintiff experts re defence reports; meetings re strategy, consideration of serving responding reports; coordinate same.</p>	
	<p>Lawyers: Joel Rochon – 130 hours @ \$500 = \$65,000 Vincent Genova – 16 hours @ \$500 = \$8,000 Annelis Thorsen – 160 hours @ \$375 = \$60,000 Lindsay Lorimer – 30 hours @ \$325 = \$9,750 Doug Lennox – 16 hours @ \$275 = \$4,400</p>	\$166,875

	<p>Silvie Kuppek – 4 hours @ \$225 = \$900 Sakie Tambakos – 91 hours @ \$200 = \$18,200</p> <p>Law Clerk: Allison Phillips – 5 hours @ \$125 = \$625</p>	
61.	<p>Motion re Examination for Discovery of Representatives of Health Canada, May 3, 2002:</p> <p>Review of Health Canada and defence productions; review <i>Rules</i> re examinations of non-parties; legal research re same; preparation of motion material; discussions re motion; preparation for and attendance at motion; draft Order.</p>	
	<p>Lawyers: Joel Rochon – 2 hours @ \$500 = \$1,000 Doug Lennox – 5.5 hours @ \$275 = \$1,512.50 Lindsay Lorimer – 10 hours @ \$325 = \$3,250</p> <p>Law Clerk: Maureen Wallace – 0.5 hours @ \$135 = \$67.5</p>	\$5,830
62.	<p>Examination for Discovery of Francis Wagniar, May 15-17, 21-23, 2002:</p> <p>Review productions, transcripts of examinations; preparation of hot documents and questions for examination; various discussions re same; attendance at and conducting examination; travel and accommodations arrangements; travel to and from Paris.</p>	
	<p>Lawyers: Joel Rochon – 137 hours @ \$500 = \$68,500 Vincent Genova – 40 hours @ \$500 = \$20,000 Annelis Thorsen – 95 hours @ \$375 = \$35,625</p> <p>Law Clerk: Maureen Wallace – 2 hours @ \$135 = \$270</p>	\$124,395
63.	<p>Motion for Leave to Appeal Order re Refusals from Examination of Marc Milward, May 21, 2002:</p> <p>Receive and review defence motion materials; draft responding material; receive and review answers to undertakings; preparation for and attendance at motion.</p>	
	<p>Lawyers: Vincent Genova – 4 hours @ \$500 = \$2,000 Doug Lennox – 23 hours @ \$275 = \$6,325 Lindsay Lorimer – 20 hours @ \$325 = \$6,500</p>	\$14,825
64.	Examinations for Discovery of Christian Sauveur and Sylvie Jaquelin-Guinamant,	

	May 27-30, 2002:	
	Review productions, transcripts of examinations; preparation of hot documents and questions for examinations; various discussions re same; attendance at and conducting examinations; travel and accommodations arrangements; travel to and from Paris.	
	Lawyers: Joel Rochon – 2 hours @ \$500 = \$1,000 Annelis Thorsen – 50 hours @ \$375 = \$18,750	\$19,750
65.	Motion to Amend Certification Order re New Defendants, May 29, 2002:	
	Research re amendment of certification Order; preparation of motion material; preparation for and attendance at motion.	
	Lawyers: Joel Rochon – 5 hours @ \$500 = \$2,500 Doug Lennox – 15 hours @ \$275 = \$4,125 Lindsay Lorimer – 3 hours @ \$325 = \$975	\$7,600
66.	Examination of Plaintiff by Written Questions, May 2002:	
	Receive and review written questions; review of discovery transcript and productions; prepare responses via affidavit to questions; correspondence with counsel re same; meet with client re same.	
	Lawyers: Doug Lennox – 25 hours @ \$275 = \$6,875	\$6,875
67.	Case Conference, June 3, 2002:	
	Prepare for and attend at case conference; internal discussions re same; follow up.	
	Lawyers: Joel Rochon – 3.5 hours @ \$500 = \$1,750 Vincent Genova – 3.5 hours @ \$500 = \$1,750 Lindsay Lorimer – 3 hours @ \$325 = \$975	\$4,475
68.	Examinations for Discovery of Francis Wagnart, Dr. Servier and Brigitte Riveline, June 12-14, 18, 19-21, 2002:	
	Review productions, transcripts of examinations; preparation of hot documents and questions for examinations; various discussions re same; attendance at and conducting examinations; travel and accommodations arrangements; travel to and from Paris.	
	Lawyers: Joel Rochon – 140 hours @ \$500 = \$70,000	\$129,125

	Vincent Genova – 100 hours @ \$500 = \$50,000 Annelis Thorsen – 20 hours @ \$375 = \$7,500 Lindsay Lorimer – 5 hours @ \$325 = \$1,625	
69.	In Chambers Contempt and Conduct of Discovery Motions, June 21, 2002: Prepare for and attendance in chambers re contempt and conduct of discovery motions; internal discussions re same.	
	Lawyers: Vincent Genova – 6 hours @ \$500 = \$3,000 Doug Lennox – 2 hours @ \$275 = \$550 Lindsay Lorimer – 3 hours @ \$325 = \$975	\$4,525
70.	Examination for Discovery of Dr. Derome-Tremblay, July 2-3, 2002: Review productions; preparation of questions for examination for discovery; attendance at and conducting examination; various discussions re same; travel to and from Paris re same.	
	Lawyers: Joel Rochon – 2 hours @ \$500 = \$1,000 Annelis Thorsen – 62 hours @ \$375 = \$23,250	\$24,250
71.	Motion for Further and Better Affidavit of Documents, Contempt, July 3, 2002: Continued document review; legal research re contempt; preparation of motion materials; review responding motion materials; preparation for and attendance at motion; draft Order re same.	
	Lawyers: Joel Rochon – 15 hours @ \$500 = \$7,500 Vincent Genova – 19.5 hours @ \$500 = \$9,750 Lindsay Lorimer – 35 hours @ \$325 = \$11,375 Doug Lennox – 1 hour @ \$275 = \$275 Law Clerk: Jose Emiliani – 0.6 hours @ \$100 = \$60	\$28,960
72.	Motion re Production of CD-ROMs and LLS Documents Produced in MDL, July 12, 2002: Various discussions with U.S. counsel; preparation of motion materials; discussions re same; preparation for and attendance at cross-examinations of affiants; preparation for and attendance at motion; draft and settle Order; correspondence with counsel re same.	
	Lawyers:	\$25,975

	Joel Rochon – 20 hours @ \$500 = \$10,000 Vincent Genova – 8 hours @ \$500 = \$4,000 Doug Lennox – 14 hours @ \$275 = \$3,850 Lindsay Lorimer – 25 hours @ \$325 = \$8,125	
73.	Undertakings / Refusals Motion re Examinations for Discovery of Brigitte Riveline, Francis Wagniar, Christian Sauveur and Sylvie Jagelin-Guinamant, July 12, 2002: Review transcripts; preparation of motion material and list of undertakings and refusals; various discussions re same; internal discussions; correspondence with counsel; preparation for and attendance at motion; draft and settle Order; follow up review of answers.	
	Lawyers: Joel Rochon – 12 hours @ \$500 = \$6,000 Vincent Genova – 2 hours @ \$500 = \$1,000 Lindsay Lorimer – 40 hours @ \$325 = \$13,000	\$20,000
74.	Motion for Production of IRIS Pharmacovigilance Database, August 1, 2002: Preparation of motion material; preparation for and attendance at motion / case conference; draft Order.	
	Lawyers: Joel Rochon – 7 hours @ \$500 = \$3,500 Vincent Genova – 2 hours @ \$500 = \$1,000 Lindsay Lorimer – 9 hours @ \$325 = \$2,925	\$7,425
75.	Conference Call, August 16, 2002: Prepare for and attend at conference call with Justice Cumming re trial, various motions; internal discussions re same; conference calls with U.S. co-counsel re same.	
	Lawyers: Joel Rochon – 3.5 hours @ \$500 = \$1,750 Vincent Genova – 3 hours @ \$500 = \$1,500 Annelis Thorsen – 2 hours @ \$375 = \$750	\$4,000
76.	Motion re Examination for Discovery of Lynn Macdonald as Representative of Health Canada, September 3, 2002: Review of Health Canada guidelines and Food & Drug Regulations; preparation of motion material; discussions re motion; preparation for and attendance at motion; draft Order re same.	
	Lawyers: Joel Rochon – 0.5 hours @ \$500 = \$250	\$6,437.50

	Annelis Thorsen – 0.5 hours @ \$375 = \$187.50 Lindsay Lorimer – 16 hours @ \$325 = \$5,200 Sakie Tambakos – 4 hours @ \$200 = \$800	
77.	Refusals Motion re Examinations for Discovery of Brigitte Riveline, Francis Wagnart, Dr. Jacques Servier and Dr. Derome-Tremblay, September 3, 2002: Review discovery transcripts; preparation of motion material and list of refusals; internal discussions re same; preparation for and attendance at motion; draft Order; prepare bill of costs; follow-up re same; receive, review and respond to answers to undertakings and refusals; preparation of contempt material.	
	Lawyers: Joel Rochon – 8 hours @ \$500 = \$4,000 Vincent Genova – 6 hours @ \$500 = \$3,000 Annelis Thorsen – 2 hours @ \$375 = \$750 Lindsay Lorimer – 30 hours @ \$325 = \$9,750 Martha Harrison – 20 hours @ \$250 = \$5,000 Sakie Tambakos – 4 hours @ \$200 = \$800 Law Clerk: Maureen Wallace – 2.5 hours @ \$135 = \$337.50	\$23,637.50
78.	Motion re Release of LLS Databases or E-Coding, August 9, 16, 30, September 3, 2002: Continued document review; internal discussions and with U.S. counsel re obtaining searchable method of document review; attendances at teleconferences and motion; draft Order.	
	Lawyers: Joel Rochon – 15 hours @ \$500 = \$7,500 Vincent Genova – 6 hours @ \$500 = \$3,000 Annelis Thorsen – 13 hours @ \$375 = \$4,875 Lindsay Lorimer – 20 hours @ \$325 = \$6,500	\$21,875
79.	Motion to Amend Claim to Add New Defendants, September 10, 2002: Continued document review re corporate structure of defendants; review of discovery transcripts; draft Fresh As Amended Statement of Claim; legal research re addition of parties, amendment of pleadings, piercing of corporate veil for affiliated companies, liability for common enterprises; preparation of motion material; preparation for and attendance at motion; draft Order.	
	Lawyers: Joel Rochon – 6 hours @ \$500 = \$3,000 Annelis Thorsen – 20 hours @ \$375 = \$7,500	\$14,039.50

	Lindsay Lorimer – 3 hours @ \$325 = \$975 Sakie Tambakos – 11 hours @ \$200 = \$2,200 Law Clerk: Maureen Wallace – 2.7 hours @ \$135 = \$364.50	
80.	Examinations for Discovery of Representatives of Health Canada, September 12-16, 17-18, 2002: Review productions; preparation of questions for examinations for discovery; attendance at and conducting examinations; various discussions re same; follow-up; compile list of undertakings; correspondence with Health Canada counsel re same.	
	Lawyers: Joel Rochon – 18 hours @ \$500 = \$9,000 Annelis Thorsen – 20 hours @ \$375 = \$7,500 Lindsay Lorimer – 5 hours @ \$325 = \$1,625 Martha Harrison – 10 hours @ \$250 = \$2,500 Sakie Tambakos – 14 hours @ \$200 = \$2,800 Law Clerk: Jose Emiliani – 1 hour @ \$100 = \$100	\$23,525
81.	Conference Call, September 16, 2002: Prepare for and attend at conference call with Justice Cumming re trial, various motions; internal discussions re same; conference calls with U.S. co-counsel re same.	
	Lawyers: Joel Rochon – 1.5 hours @ \$500 = \$750 Vincent Genova – 1 hour @ \$500 = \$500 Annelis Thorsen – 1 hour @ \$375 = \$375 Lindsay Lorimer – 1 hour @ \$325 = \$325	\$1,950
82.	Motions to Compel Answers to Undertakings and Questions Ordered Answered from Examinations of Marc Milward, Francis Wagnart, Sylvie Jaguelin-Guimant, Brigitte Riveline and Christian Sauveur, September 24, 27, 2002: Review discovery transcripts; preparation of motion material and list of refusals; internal discussions re same; preparation for and attendance at motion; draft Order; discussions with counsel re same; follow-up with counsel re responses to Order; receive, review and respond to answers to undertakings and refusals; preparation of contempt material.	
	Lawyers: Joel Rochon – 6 hours @ \$500 = \$3,000 Vincent Genova – 2 hours @ \$500 = \$1,000 Annelis Thorsen – 2 hours @ \$375 = \$750	\$24,225

	Lindsay Lorimer – 35 hours @ \$325 = \$11,375 Martha Harrison – 26 hours @ \$250 = \$6,500 Sakie Tambakos – 8 hours @ \$200 = \$1,600	
83.	Motions for Production of Further Documents from LLS, to Withdraw Affidavit of Tom Smith and for Contempt of LLS, September 16, 20, 23, 2002: Preparation of motion materials; discussions with U.S. counsel; legal research re withdrawing affidavits, procedure re cross-examinations; preparation for and attendance at cross-examinations of Arnold Levin, Lindsay Lorimer; travel to Philadelphia re cross-examination of Arnold Levin; preparation for and attendance at motion; draft Order; review defence refusal motion re cross-examinations of Lindsay Lorimer and Arnold Levin.	
	Lawyers: Joel Rochon – 24 hours @ \$500 = \$12,000 Vincent Genova – 13 hours @ \$500 = \$6,500 Annelis Thorsen – 40 hours @ \$375 = \$15,000 Lindsay Lorimer – 45 hours @ \$325 = \$14,625 Sakie Tambakos – 2.5 hours @ \$200 = \$500 Law Clerk: Maureen Wallace – 2.5 hours @ \$135 = \$337.50	\$48,962.50
84.	Appeal of Order re Constitutionality of National Class (Court of Appeal), October 2, 2002: Review defence appeal material; internal discussions re same; prepare responding material; prepare motion material to quash appeal; attend on appeal return date for adjournment; preparation for and attendance at motion to quash appeal.	
	Lawyers: Joel Rochon – 40 hours @ \$500 = \$20,000 Vincent Genova – 27 hours @ \$500 = \$13,500 Annelis Thorsen – 70 hours @ \$375 = \$26,250 Lindsay Lorimer – 10 hours @ \$325 = \$3,250 Martha Harrison – 21 hours @ \$250 = \$5,250 Law Clerk: Jose Emiliani – 0.9 hours @ \$100 = \$90	\$68,340
85.	Motion for Leave to Appeal Decision not Staying / Dismissing Action Against New Defendants, October 4, 2002: Review defence motion materials; internal discussions re same; prepare responding material; preparation for and attendance at motion; preparation of bill of costs.	

	<p>Lawyers: Joel Rochon – 20 hours @ \$500 = \$10,000 Vincent Genova – 3 hours @ \$500 = \$1,500 Annelis Thorsen – 48 hours @ \$375 = \$18,000 Lindsay Lorimer – 20 hours @ \$325 = \$6,500 Martha Harrison – 25 hours @ \$250 = \$6,250 Sakie Tambakos – 4 hours @ \$200 = \$800</p> <p>Law Clerk: Jose Emiliani – 0.7 hours @ \$100 = \$70</p>	\$43,120
86.	<p>Case Conference, October 17, 2002:</p> <p>Prepare for and attend at case conference with Justice Cumming re trial, various motions; internal discussions re same; conference calls with U.S. co-counsel re same; draft minutes of conference; letter to Justice Cumming summarizing results of same.</p>	
	<p>Lawyers: Joel Rochon – 5.5 hours @ \$500 = \$2,750 Vincent Genova – 3.5 hours @ \$500 = \$1,750 Lindsay Lorimer – 5.5 hours @ \$325 = \$1,787.50 Martha Harrison – 1 hour @ \$250 = \$250</p>	\$6,537.50
87.	<p>Motion Validating Service of the Fresh As Amended Statement of Claim on the New Defendants, October 17, 2002:</p> <p>Review <i>Rules</i> re validating service; preparation of motion material; preparation for and attendance at motion; draft Order.</p>	
	<p>Lawyers: Joel Rochon – 1.5 hours @ \$500 = \$750 Lindsay Lorimer – 6 hours @ \$325 = \$1,950 Martha Harrison – 1 hour @ \$250 = \$250</p>	\$2,950
88.	<p>Case Conference, November 13, 2002:</p> <p>Preparation for and attendance at case conference call with Justice Cumming; internal discussions and follow up re same.</p>	
	<p>Lawyers: Joel Rochon – 3 hours @ \$500 = \$1,500 Vincent Genova – 3 hours @ \$500 = \$1,500 Lindsay Lorimer – 3 hours @ \$325 = \$975</p>	\$3,975
89.	<p>Examination for Discovery of Francis Wagniar, December 10-12, 2002:</p> <p>Review productions, transcripts of examinations; preparation of “hot documents” and</p>	

	questions for examination; various discussions re same; attendance at and conducting examination; travel and accommodations arrangements; travel to and from Paris.	
	Lawyers: Joel Rochon – 2 hours @ \$500 = \$1,000 Annelis Thorsen – 138 hours @ \$375 = \$51,750 Lindsay Lorimer – 3 hours @ \$325 = \$975	\$53,725
90.	Motion to Strike Expert Reports and for Production of Supporting Documentation, December 16-18, 2002: Review motion material of defendants; further review of impacted expert reports; conference call with Justice Cumming re motion; prepare responding material and bring cross-motion to strike portions of defence expert reports and obtain underlying documentation; review <i>Rules</i> , caselaw re admissibility of expert reports; various discussions with experts; preparation for and attendance at motion; draft Order re same; follow up to motion; preparation of supporting documentation and producing same; various discussions with plaintiff experts; draft affidavit of Dr. Rich; travel to, from Chicago for cross-examination of Dr. Rich; preparation for and attendance at cross-examination of Dr. Rich.	
	Lawyers: Joel Rochon – 44 hours @ \$500 = \$22,000 Vincent Genova – 11 hours @ \$500 = \$5,500 Lindsay Lorimer – 40 hours @ \$325 = \$13,000 Martha Harrison – 31 hours @ \$250 = \$7,750 Sakie Tambakos – 51 hours @ \$200 = \$10,200	\$58,450
91.	Case Conference, January 3, 2003: Meetings in preparation for, consideration of strategy, attendance at case conference re scheduling of remaining discoveries and motions; follow up re same.	
	Lawyers: Joel Rochon – 2 hours @ \$500 = \$1,000 Vincent Genova – 2 hours @ \$500 = \$1,000	\$2,000
92.	Ex Parte Motion, January 9, 2003: Prepare for and attend at <i>ex parte</i> motion before Justice Spiegel re letters rogatory.	
	Lawyers: Joel Rochon – 0.5 hours @ \$500 = \$250 Frank Felkai – 1.8 hours @ \$550 = \$990 Lindsay Lorimer – 2 hours @ \$325 = \$650	\$1,890
93.	Case Conference, January 13, 2003:	

	Meetings in preparation for, consideration of strategy, attendance at case conference re scheduling of remaining discoveries and motions; follow up re same.	
	Lawyers: Joel Rochon – 1.5 hours @ \$500 = \$750 Vincent Genova – 3.7 hours @ \$500 = \$1,850 Sakie Tambakos – 2.3 hours @ \$200 = \$460	\$3,060
94.	Motion by New Defendants Challenging Jurisdiction of Court, January 14, 2003: Review motion material of defendants; prepare responding material; various discussions re same; preparation for and attendance at motion.	
	Lawyers: Joel Rochon – 11 hours @ \$500 = \$5,500 Vincent Genova – 3 hours @ \$500 = \$1,500 Lindsay Lorimer – 23 hours @ \$325 = \$7,475 Sakie Tambakos – 5 hours @ \$200 = \$1,000	\$15,475
95.	Examinations for Discovery of Magda Opsomer, Laurent Perrier and Patricia Maillere, January 10, 14-17, 2003: Review productions, transcripts of examinations; preparation of hot documents and questions for examination; various discussions re same; attendance at and conducting examinations; examination, travel and accommodations arrangements; travel to and from Paris; draft list of undertakings and refusals; preparation for examination of C. Bazantay, Dr. Vix, Aubin and Dr. Servier.	
	Lawyers: Joel Rochon – 32 hours @ \$500 = \$16,000 Annelis Thorsen – 168 hours @ \$375 = \$63,000 Lindsay Lorimer – 2 hours @ \$325 = \$650 Martha Harrison – 1 hour @ \$250 = \$250 Sakie Tambakos – 2 hours @ \$200 = \$400	\$80,300
96.	Rule 21 Motion by Dr. Servier to Strike Claim, January 17, 20, 23, 2003: Review motion material of defendants; legal research re piercing corporate veil, alter ego theory re affiliated corporations, law of agency; prepare responding material; various discussions re same; preparation for and attendance at motion; draft amended claim to allege fraud; prepare bill of costs.	
	Lawyers: Joel Rochon – 10 hours @ \$500 = \$5,000 Lindsay Lorimer – 37 hours @ \$325 = \$12,025 Martha Harrison – 16 hours @ \$250 = \$4,000	\$25,025

	Sakie Tambakos – 20 hours @ \$200 = \$4,000	
97.	Motion to Prevent Further Discovery of Dr. Servier, January 23, 2003: Review motion material of defendants; prepare responding material; various discussions re same; preparation for and attendance at motion.	
	Lawyers: Joel Rochon – 4 hours @ \$500 = \$2,000 Vincent Genova – 1 hour @ \$500 = \$500 Lindsay Lorimer – 3 hours @ \$325 = \$975	\$3,475
98.	Preparation for and Attendance at Mediation, January to February 2003: Preparation of executive summary for Justice Winkler; drafting of mediation brief; various discussions re same with U.S. co-counsel and experts; revisions to brief; preparation for and attendance at mediation; various discussions with provincial health ministry representatives re subrogation claim; numerous meetings with defence counsel, Justice Winkler and ministry representatives; research prescription and population breakdown by province; drafting of agreement in principle; revisions to same; drafting of press release advising of settlement in principle; interviews with media; discussions with client and class members.	
	Lawyers: Joel Rochon – 125 hours @ \$500 = \$62,500 Vincent Genova – 110 hours @ \$500 = \$55,000 Annelis Thorsen – 48 hours @ \$375 = \$18,000 Lindsay Lorimer – 59 hours @ \$325 = \$19,175 Martha Harrison – 120 hours @ \$250 = \$30,000 Law Clerk: Maureen Wallace – 1.9 hours @ \$135 = \$256.50	\$184,931.50
99.	Case Conference, February 11, 2003: Preparation for, attendance at case conference call re status of settlement discussion, trial; internal discussions re same:	
	Lawyers: Joel Rochon – 1.5 hours @ \$500 = \$750 Annelis Thorsen – 1.5 hours @ \$375 = \$562.5	\$1,312.50
100.	Settlement Negotiations and Drafting of Settlement Agreement and Exhibits, March 2003 to September 2004: Drafting of settlement agreement and related documents, including medical conditions list, medical diagnosis form, claim forms, notice; various revisions re same; research	

	<p><i>Knowles</i> and other class action settlement models, agreements; general research re class action approvals; various meetings, discussions with U.S. co-counsel, experts, defence counsel, court monitor, Justice Winkler re settlement agreement; further research of medical and scientific literature re signature injuries and association with subject drugs; various discussions with representatives for provincial health ministries re settlement agreement, subrogation releases; preparation for and attendance at Quebec mediation; various discussions with Crawfords re settlement administration, Jennifer Dewar re notice plan; preparation of chart listing class members and severity of injuries; status discussions, meetings with client.</p>	
	<p>Lawyers:</p> <p>Joel Rochon – 478 hours @ \$500 = \$239,000 Vincent Genova – 32 hours @ \$500 = \$16,000 Annelis Thorsen – 1005 hours @ \$375 = \$376,875 Lindsay Lorimer – 49 hours @ \$325 = \$15,925 Martha Harrison – 5 hours @ \$250 = \$1,250 Sakie Tambakos – 41 hours @ \$200 = \$8,200 Annette Macaro – 2 hours @ \$250 = \$500 Roxanne Shank – 8.3 hours @ \$150 = \$1,245</p> <p>Law Clerk:</p> <p>Allison Phillips – 10 hours @ \$125 = \$1,250</p>	\$660,245
101.	<p>Communications with Representative Plaintiff and Class Members, Class Member Database Maintenance:</p> <p>Various conversations with, letters to class members enclosing retainers, authorizations, information packages re status of proceedings and updates; receiving retainers and questionnaires; set up and maintenance of class member database; obtaining, reviewing and organizing class member medical records; coordinate forwarding medical records to expert; review of expert class member medical opinions; internal discussions re same; communications with various counsel for individual class members re file status; various discussions with representative plaintiff re status and developments of case; website maintenance.</p>	
	<p>Lawyers:</p> <p>Joel Rochon – 38 hours @ \$500 = \$19,000 Vincent Genova – 6 hours @ \$500 = \$3,000 Annelis Thorsen – 18 hours @ \$375 = \$6,750 Doug Lennox – 7 hours @ \$275 = \$1,925 Lindsay Lorimer – 75 hours @ \$325 = \$24,375 Silvie Kuppek – 249 hours @ \$250 = \$62,250 Glyn Hotz – 6 hours @ \$225 = \$1,350 Sakie Tambakos – 2 hours @ \$200 = \$400</p> <p>Law Clerks / Students:</p> <p>Allison Phillips – 720 hours @ \$125 = \$90,000</p>	\$211,885

	Beth Marta – 69 hours @ \$100 = \$6,900 Stephanie Lambert – 21.6 @ \$100 = \$2,160	
102.	Motion for Approval of Settlement, Approval of Counsel Fees, August 2004 to September 9, 2004: Various attendances before Justice Cumming re settlement agreement, preliminary notice of settlement approval hearing and scheduling of settlement approval and fees approval hearings; preparation of motion material, including affidavits of experts, solicitors affidavits; various internal discussions and with B.C. subclass and U.S. counsel; discussions with experts; various discussions with counsel re settlement approval material; legal research re approval of settlements, counsel fees; compilation of motion material; preparation of bill of costs; review of and preparation of dockets; preparation for settlement approval and counsel fees approval hearings.	
	Lawyers: Joel Rochon – 32 hours @ \$500 = \$16,000 Vincent Genova – 5 hours @ \$500 = \$2,500 Annelis Thorsen – 182 hours @ \$375 = \$68,250 Sakie Tambakos – 170 hours @ \$200 = \$34,000 Law Clerks: Allison Phillips – 10 hours @ \$125 = \$1,250 Maureen Wallace – 205.5 hours @ \$135 = \$27,742.50	\$149,742.50
<u>Total fees:</u>		<u>\$4,997,884</u>

STATEMENT OF EXPERIENCE

A claim for fees is being made with respect to the following lawyers:

Name of Lawyer	Year of Call	Rate
Joel Rochon	1988	\$500.00
Vincent Genova	1989	\$500.00
Frank Felkai	1970	\$550.00
Annelis Thorsen	1999	\$375.00
Douglas Lennox	1998	\$275.00
Lindsay Lorimer	2000	\$325.00
Glyn Hotz	1999	\$225.00
Silvie Kuppek	1997	\$225.00
Martha Harrison	2002	\$250.00
Annette Macaro	2002	\$250.00
Sakie Tambakos	2003	\$200.00
Roxanne Shank (student-at-law)	--	\$150.00
Ron Hatch (summer student)	--	\$100.00

Law Clerks / Students:		
Maureen Wallace		\$135.00
Allison Phillips		\$125.00
Jose Emiliani		\$100.00
Irene Adams		\$100.00
Beth Marta		\$100.00
Allie Marta		\$100.00