

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE JUSTICE

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Thurs DAY, THE 13

)

EDWARD BELOBABA

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DAY OF June , 2019.

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BETWEEN:



CLEMENT CHU, NAHOM ABADI and IDA FABRIGA-CHU

Plaintiffs

and

PARWELL INVESTMENTS INC., BLEEMAN HOLDINGS LIMITED,
650 PARLIAMENT RESIDENCES LIMITED, 650 PARLIAMENT (LHB) INVESTMENTS
LIMITED, ELECTRICAL SAFETY AUTHORITY,
GREATWISE DEVELOPMENTS CORPORATION and
77 HOWARD (LHB) INVESTMENTS LIMITED

Defendants

Proceeding under the *Class Proceedings Act, 1992*

**ORDER
(Partial Certification)**

THIS MOTION, made by the plaintiffs for partial certification of this action as a class proceeding, was read this day at Toronto, Ontario.

ON READING the motion record of the plaintiffs filed, and on being advised of the consent of the defendants Parwell Investments Inc. and 650 Parliament (LHB) Investments

Limited, and on being advised that the remaining defendants take no position on the motion despite having been duly served with the plaintiffs' motion record,

1. FOR THE PURPOSES OF THE ORDER, the following definitions apply:
 - (a) **"650 Parliament"** means the rental apartment buildings located at **650 Parliament Street**, Toronto, which consists of a north tower and a south tower;
 - (b) **"Buildings"** means the premises municipally described as 650 Parliament Street, Toronto;
 - (c) **"Class"** and **"Class Members"** means all persons, excluding the defendants, their senior employees, officers or directors, who on August 21, 2018, rented a **Unit** or was ordinarily resident in a **Unit**;
 - (d) **"Class Counsel"** means Strosberg Sasso Sutts LLP and Charney Lawyers PC; and
 - (e) **"Unit"** means an apartment or other utilizable space at the **Buildings**.

2. THIS COURT ORDERS that this action is hereby certified as a class proceeding as against the defendants Parwell Investments Inc. and 650 Parliament (LHB) Investments Limited.

3. THIS COURT ORDERS that the Class is defined as:
all persons, excluding the defendants, their senior employees, officers or directors, who on August 21, 2018, rented a Unit or was ordinarily resident in a Unit at the premises municipally described as 650 Parliament Street, Toronto, Ontario.

4. THIS COURT ORDERS that Clement Chu and Nahom Abadi are hereby appointed as the representative plaintiffs of the Class.

5. THIS COURT DECLARES that the cause of action certified is negligence.
6. THIS COURT DECLARES that the relief sought includes various declarations and general damages.
7. THIS COURT DECLARES that the certified common issues are:
1. Did one or more of the defendants Parwell Investments Inc. and 650 Parliament (LHB) Investments Limited owe a duty of care to the Class in relation to the design, construction, operation, maintenance and monitoring of the Buildings, including the electrical systems? If so, which defendants?
 2. If the answer to question 1 is yes, did one or both of those defendants breach the standard of care expected of them in relation to the design, construction, operation, maintenance and monitoring of the Buildings, including the electrical systems? If yes, which defendants, when and how?
8. THIS COURT ORDERS that the form of notice of this certification order, the manner of giving notice, and all other related matters, shall be determined by further order of this Court.
9. THIS COURT ORDERS that this order is made without prejudice to the plaintiffs' right to move for certification as against additional defendants and/or to move for certification of additional classes and/or common issues.
10. THIS COURT ORDERS that there shall be no costs of this motion.

ENTERED AT / INSCRIPT A TORONTO
 ON / BOOK NO:
 LE / DANS LE REGISTRE NO:


 JUSTICE BELOBABA

JUN 14 2019

PER/PAR 74

CLEMENT CHU et al.

Plaintiffs

vs. PARWELL INVESTMENTS INC. et al.

Defendants

Court File No. CV-18-00604410-00CP

**ONTARIO
SUPERIOR COURT OF JUSTICE**

PROCEEDINGS COMMENCED AT TORONTO

**ORDER
(Partial Certification)**

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