



Milton Court File No. 4771/14

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE
JUSTICE GLUSTEIN

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Thurs DAY THE 21 DAY
OF DECEMBER, 2023

B E T W E E N:

STAYURA WELL SERVICES LTD. and MCCLARY LOGISTICS LTD.

Plaintiffs

- and -

NAVISTAR CANADA INC., NAVISTAR INC., and NAVISTAR INTERNATIONAL
CORPORATION

Proceeding under the *Class Proceedings Act, 1992*, S.O. 1992, c. 6

**ORDER
(Motion for Discontinuance)**

THIS MOTION, made by the Plaintiffs for an Order: (i) approving the discontinuance of the within proceeding, without prejudice and without costs; and (ii) directing that notice be posted to Plaintiffs' Counsel's website and that no other notice under section 19 and/or 29 of the *CPA* is required, was heard this day at the Court House, 330 University Ave., Toronto, Ontario.


ON READING the materials filed:

AND ON BEING ADVISED that the within discontinuance is sought pursuant to the terms of the national settlement agreement, to which the plaintiffs are signatories, which was reached on June 8, 2023 (and fully executed on June 22, 2023) and which was approved by the Supreme Court of British Columbia on November 30, 2023:

AND ON BEING ADVISED that the Plaintiffs and the Defendants consent to the relief requested:

1. **THIS COURT ORDERS** that the action is hereby discontinued without costs, against Navistar Canada Inc., Navistar Inc., and Navistar International Corporation pursuant to section 29 of the *Class Proceedings Act, 1992*, S.O. 1992, c. 6.
2. **THIS COURT ORDERS** that counsel of the Plaintiffs shall post this Order and any reasons approving the discontinuances on its website.

Date: December 21, 2023



The Honourable Justice Glustein

STAYURA WELL SERVICES LTD., et al.
Plaintiffs

v. NAVISTAR CANADA INC., et al.
Defendants

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PROCEEDING COMMENCED AT MILTON
Proceeding Under the *Class Proceedings Act, 1992*

**ORDER
(Motion for Discontinuance)**

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