

## **ACKNOWLEDGEMENT AND UNDERTAKING**

**THE DEFENDANTS**, (name of individual or corporation) **ACKNOWLEDGE** that they will not be entitled to make oral submissions to the Class Proceedings Committee.

**(Name of individual or corporation defendants)** **ACKNOWLEDGE** that they will not be entitled to any information about, or materials from, the plaintiffs' application.

**(Name of individual or corporation defendants)** **ACKNOWLEDGE** that their written submission will not be treated as confidential, a copy of their submissions will be provided to the plaintiffs for response and (Defendants) will not be informed of the plaintiffs' response or be given a right of reply.

**(Name of individual or corporation defendants)** **UNDERTAKE** that in consideration of the delay in the determination of the plaintiffs' application for funding which may result from (Defendants) submissions, (Defendants) will consent to any extensions of time for the certification motion, or any other steps in the class proceeding, requested by the plaintiffs until the Committee has either granted or refused the plaintiffs' application.

**(Name of individual or corporation defendants)** **FURTHER UNDERTAKE** that in consideration of the extra expense to the plaintiffs which may result from responding to (Defendants) s' submissions, (Defendants) will consent to the discontinuance of the class proceeding without costs in the event the plaintiffs' application for funding is refused and the plaintiffs subsequently seek leave from the court to discontinue the class proceeding.

**(Name of individual or corporation defendants)** **ACKNOWLEDGE** that the Committee's request for written submission from (Defendants) and (Defendants') filing of written submission do not confer any rights whatsoever on (Defendants), such as, without limitation, the right to a copy of the Committee's reasons for decision or the right to apply for judicial review of the Committee's decision.

Signed at Toronto this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ [year].

\_\_\_\_\_  
Name of Solicitor (s)  
Name of Firm  
Solicitors for the Defendants,  
(Defendants' names)