

COURT FILE NO. 1201-12838
COURT COURT OF KING'S BENCH OF ALBERTA
JUDICIAL CENTRE CALGARY
PLAINTIFFS FIONA SINGH and
MUZAFFAR HUSSAIN by his litigation representative
FIONA SINGH
DEFENDANTS GLAXOSMITHKLINE INC., GLAXOSMITHKLINE LLC, and
GLAXOSMITHKLINE PLC.



Brought under the Class Proceedings Act

DOCUMENT ORDER

ADDRESS FOR
SERVICE AND
CONTACT



INFORMATION OF
PARTIES FILING
THIS DOCUMENT

1000 – 7 Avenue SW, Suite 400
Calgary, Alberta
T2P 5L5

Clint Docken K.C. | Casey R. Churko
Tel: (403) 619-3612
Fax: (639) 739-2223

DATE ORDER WAS PRONOUNCED:

June 5th, 2024

JUDGE WHO MADE THIS ORDER:

Hon. Justice E.J. Sidnell

ORDER
(Sealing Order)

UPON THE COURT NOTING that personal information of individuals opting out of the class action have been disclosed in Exhibit A to the *Affidavit of Paul Battaglia*, affirmed and filed on May 29th, 2024;

AND UPON THE MOTION OF THE COURT and having heard the submissions of counsel for the Plaintiffs and of counsel for the Defendant;

IT IS HEREBY ORDERED AND DECLARED THAT:

1. The *Affidavit of Paul Battaglia*, affirmed and filed on May 29th, 2024 (the “*Battaglia Affidavit*”), shall be sealed on the Court file, notwithstanding Division 4, Part 6 of the *Alberta Rules of Court*, AR 124/2010, until further order of this Honourable Court (the “**Unsealing Date**”).


2. Until the Unsealing Date, the *Battaglia Affidavit* shall be sealed and kept confidential, to be shown only to a Justice of the Court of King’s Bench of Alberta, and accordingly, shall be filed with the Clerk of the Court who shall keep the Confidential Appendices in a sealed envelope attached to a notice that sets out the style of cause of these proceedings and states:

THIS ENVELOPE CONTAINS CONFIDENTIAL MATERIAL FILED IN COURT FILE NO. 1201 12838. THE *AFFIDAVIT OF PAUL BATTAGLIA*, AFFIRMED AND FILED ON MAY 29TH, 2024, IS SEALED PURSUANT TO THE SEALING ORDER ISSUED BY THE HONOURABLE JUSTICE EJ SIDNELL ON JUNE 5TH, 2024.

3. Any person may apply to set aside paragraph 2 of this order upon providing the Plaintiffs and the Defendants, and all other interested parties, with 5 days notice of such application.

4. Service of this order shall be deemed good and sufficient by posting it on the website created for this class action located at: www.paxilbirthdefectsclassaction.ca.

5. The Plaintiffs shall immediately re-file the *Affidavit of Paul Battaglia*, in the same form as the sealed Affidavit, except that the refiled Affidavit shall redact all personal information of the individuals opting out of the class action, including, but not limited to, the individual's first name, last name, phone number, address, city, province, postal code and email address.


THE HONOURABLE
JUSTICE E.J. SIDNELL

APPROVED as to form and content this 6th day of June, 2024:

NAPOLI SHKOLNIK CANADA
1000 – 7 Avenue SW, Suite 400
Calgary, Alberta
T2P 5L5

NORTON ROSE FULBRIGHT
222 Bay Street
Suite 3000, P.O. Box 53
Toronto, Ontario
M5K 1E7

Per:



CASEY R. CHURKO
Co-Counsel for the Plaintiffs,
Fiona Singh and
Muzaffar Hussain

Per:



RANDY SUTTON
Lawyer for the Defendants,
GlaxoSmithKline Inc.,
GlaxoSmithKline LLC, and
GlaxoSmithKline plc.