

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE  
JUSTICE BELOBABA

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TUESDAY, THE 7<sup>TH</sup> DAY  
OF OCTOBER, 2014

B E T W E E N



**SHERIDAN CHEVROLET CADILLAC LTD.,  
PICKERING AUTO MALL LTD., and FADY SAMAHA**

Plaintiffs

- and -

**TOYO TIRE & RUBBER CO. LTD., TOYO TIRE NORTH AMERICA  
MANUFACTURING INC., TOYO TIRE NORTH AMERICA OE SALES LLC, TOYO  
AUTOMOTIVE PARTS (USA) INC., TOYODA GOSEI CO., LTD., TOYODA GOSEI  
NORTH AMERICA CORPORATION, TG KENTUCKY, LLC, and TG FLUID  
SYSTEMS USA CORPORATION**

Defendants

Proceeding under the *Class Proceedings Act, 1992*

**ORDER**

**- Automotive Constant-Velocity-Joint Boot Products -  
Discontinuance as against Toyo Tire North America Manufacturing Inc.**

**THIS MOTION** made by the Plaintiffs for an Order that the within proceeding be discontinued on a without costs and without prejudice basis as against the Defendant, Toyo Tire North America Manufacturing Inc., was heard this day at Osgoode Hall, 130 Queen Street West, Toronto, Ontario.

**ON READING** the materials filed, and on hearing the submissions of counsel for the Plaintiffs and counsel for the Defendants:

1. **THIS COURT ORDERS** that the within proceeding be discontinued on a without costs and without prejudice basis as against the Defendant, Toyo Tire North America Manufacturing Inc.
2. **THIS COURT ORDERS** that notice under sections 19 and 29 of the *Class Proceedings Act, 1992*, S.O. 1992, c.6 is not required.
3. **THIS COURT ORDERS** that this Order is made without notice to the Defendants who have not been served or who have been served, but have not advised that they have retained counsel.
4. **THIS COURT ORDERS** that a copy of the Notice of Motion, all affidavits and documents used at the hearing of the motion and a copy of this Order shall be served on counsel for the Defendants once counsel have appeared on the record or otherwise identified themselves.
5. **THIS COURT ORDERS** that the foregoing order is without prejudice to all remaining and any future defendants.

Date: October 7, 2014



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The Honourable Justice Belobaba

ENTERED AT / INSCRIT À TORONTO  
ON / BOOK NO:  
LE / DANS LE REGISTRE NO.:

OCT - 7 2014

AS DOCUMENT NO.:  
À TITRE DE DOCUMENT NO.:

PER / PAR:



**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**

Proceeding commenced at Toronto

Proceeding under the *Class Proceedings Act, 1992*

**ORDER**

**- Automotive Constant-Velocity-Joint Boot Products -  
Discontinue as against Toyo Tire North America Manufacturing Inc.**

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