

Reva E. Devins
298 Heath Street East
Toronto, Ontario
M4T 1T4
Ph.: (416) 481-9792
fax: (416) 482-1928

To All Counsel:

**Re: Walkerton Compensation Plan –
Revised Practice Direction for Status Review Hearings**

To further facilitate the Status Review proceedings, I am issuing the following practice direction:

1. At the first of every month, the Administrator is to provide me with a rolling list of 50 cases to be scheduled for Status Hearings. The cases are to be identified on the basis of the oldest outstanding offers for compensation for illness;
2. The list is also to be sent to Applicant's Counsel, in so far as it pertains to their clients. Counsel must contact the Administrator within 3 days of receipt to discuss scheduling the Status Hearing; the hearing is to be set down in the next two available blocks of dates (typically within 45-60 days).

All counsel is to be reminded that scheduling is to be co-ordinated and finally confirmed by the Administrator so that efforts can be made to accommodate all parties, including unrepresented Applicants. The Administrator will continue, however, to make every effort to schedule blocks of hearings in accordance with counsel's availability;

3. The list for Status Hearings and Mediation/Arbitrations is to be set no later than 14 days prior to the scheduled dates. There are to be no changes to the dates or times assigned for hearing without leave of the Referee or Arbitrator. If a matter resolves before the scheduled hearing, Applicant's counsel and the Administrator will try to fill the schedule with another matter from the list;
4. Applicant's counsel are to continue to provide me with written confirmation of the following, however, I would ask that you provide me with your response 7 days prior to the scheduled hearing:
 - a. Whether the nature or extent of the Applicant's claim has changed from that set out in the Stage 2 application;
 - b. The reason for the Applicant's refusal of the Administrator's offer and any counter offers;
 - c. Additions to the list of documents that have already been submitted;

- d. Whether further documents or medical opinions are required to proceed to mediation/arbitration; if so, please provide details;
- e. Proposed timing for mediation/arbitration.

I appreciate that the timelines that I have set are tight and that counsel are working hard to resolve these matters.

Nonetheless, I believe that the schedule that I have set is in keeping with the directions provided by Mr. Justice Winkler and that a good measure of success has already been achieved through the diligent efforts of everyone involved. I also expect that all of the parties will continue in their efforts to settle these matters without the need for either a Status Hearing or Mediation/Arbitration.

Again, thank you for your continued co-operation.

Yours very truly,



Reva Devins