



Court File No. CV-21-00658687-00CP

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE
JUSTICE GLUSTEIN

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TUESDAY, THE 23RD
DAY OF FEBRUARY, 2026

B E T W E E N:

SUSAN WILLIAMS

Plaintiff / Moving Party

and

ENBRIDGE GAS INC. and ENBRIDGE INC.

Defendants / Responding Parties

PROCEEDING UNDER the *Class Proceedings Act, 1992*

ORDER

THIS MOTION, made by the Plaintiff, for an Order on consent certifying this proceeding as a Class Action for settlement purposes only as against Enbridge Gas Inc. and Enbridge Inc. (together, the “Defendants”) and approving the form and content of the notices of certification and of the date of the settlement approval hearing (the “Notices”) and of the method of distribution of the Notice, and of the procedure to opt-out, was heard this day by video conference.

ON READING the materials filed by the parties, including the Settlement Term Sheet, and on hearing the submissions of the lawyers for the parties,

AND ON BEING ADVISED that the Plaintiff and the Defendants consent to this Order,

1. THIS COURT DECLARES that for the purposes of this Order, the definitions set out in the Settlement Term Sheet and in the Amended Amended Statement of Claim apply to and are incorporated into this Order.

2. THIS COURT ORDERS that the within action be and is hereby certified on consent as a class proceeding as against the Defendants Enbridge Gas Inc. and Enbridge Inc., for settlement purposes only, pursuant to the *Class Proceedings Act, 1992*, S.O. 1992, c. 6.

Class Definition

3. THIS COURT ORDERS that the Class is defined as:

- (i) All persons who are or were members of one or both Enbridge Pension Plans; *and*
- (ii) who did not accrue Credited Service in the Enbridge Pension Plans during a Statutory Leave during the Affected Period; *and*
- (iii) who, as of the date of certification of this Class Action, are

- (1) Salaried Employees; or,

- (2) former employees of Enbridge, whether Salaried Employees or not;

- or,

- (3) members of a Union who, during a Statutory Leave during the Affected Period, were Salaried Employees (the “Class Members”).

Appointment of Representative Plaintiff and Class Counsel

4. THIS COURT ORDERS that Susan Williams is hereby appointed as the representative plaintiff on behalf of the Class.

5. THIS COURT ORDERS that Cavalluzzo LLP is hereby appointed as Class Counsel in this action.

Certified Causes of Action, Relief Sought and Common Issues

6. THIS COURT ORDERS that the certified common issue is as follows: “Did Enbridge act unlawfully and cause damage to Class Members who were not provided their alleged entitlement to service accrual in either or both of the Enbridge Pension Plans during the Affected Period”?

Notice to Settlement Class Members

7. THIS COURT ORDERS that the Settlement Class Members are the Class Members who will receive a payment pursuant to the Settlement Term Sheet. Those persons shall be given notice of the settlement approval hearing, and of the consent certification of this action and of the opt-out process, in the forms set out in **Schedule “A”**, and in the manner set out in Notice Plan in **Schedule “B”**.

8. THIS COURT ORDERS that the Plaintiff, through Class Counsel, shall have the Notice translated into French, and, subject to the Defendants’ confirmation of the accuracy of the translation, the translated French Notice shall be deemed to be approved by the Court without any other further step needing to be taken.

Class Member Opt-Out

9. THIS COURT ORDERS that Class Members may opt out of this class proceeding by following the opt-out process set out in the Notice Plan, to be validly completed by no later than 5 pm on April 23, 2026.

10. THIS COURT ORDERS that any person who opts out of this Class Action in accordance with the provisions for doing so in the Notice Plan and paragraph 9 of this Order shall not be bound by the Settlement Term Sheet and will not be entitled to receive any share of benefits payable in connection with same, and will cease to be a putative Class Member in the Class Action.

11. THIS COURT ORDERS that any member of the Class who has not validly opted out of the Class Action is bound by the Settlement Term Sheet if it is approved by the Court and becomes effective in accordance with its terms.

12. THIS COURT ORDERS that within thirty (30) days of the opt-out deadline, Class Counsel shall provide to the Defendants a report containing the names of each person who has validly and in a timely manner opted out of this proceeding, together with a summary of the information delivered by such persons pursuant to paragraph 9 above.

Hearing to Approve the Settlement Term Sheet

13. THIS COURT ORDERS that the hearing to approve the Settlement Term Sheet shall take place on May 28, 2026.

14. THIS COURT ORDERS that if the Settlement Term Sheet forming the parties' settlement agreement is not approved, is terminated in accordance with its terms, or otherwise fails to take effect for any reason, this Order, including certification for settlement purposes only, shall be set

aside and declared null and void and of no force or effect without the need for any further order of this Court.

Motion Record for Certification

15. THIS COURTS ORDERS that the date for service of the Plaintiff's motion record for certification is hereby extended to June 30, 2026, on consent. This timetable satisfies the requirements under s. 29.1 of the *Class Proceedings Act, 1992*, S.O. 1992, c.6.

Costs

16. THIS COURT ORDERS that there be no costs payable to either party for this motion.

Date of issuance: February 24, 2026

(to be completed by registrar)


Justice Benjamin Glustein