

ACTION NO. S1914497 VANCOUVER REGISTRY

IN THE SUPREME COURT OF BRITISH COLUMBIA

BETWEEN:

JAMES DOUGLAS RUCKMAN

PLAINTIFF

AND:

BIOTRADE CANADA LTD., LONDON DRUGS LIMITED,
REXALL PHARMACY GROUP LTD., REXALL/PHARMA PLUS PHARMACIES LTD.,
PHARMASAVE DRUGS LTD., WHOLE FOODS MARKET, AND
WHOLE FOODS MARKET CANADA INC. AND PNP PHARMACEUTICALS INC.

DEFENDANTS

BIOTRADE CANADA LTD., HEALTHY LIFE AND FOODS COMPANY LTD., HERBAMEDICA S.A. de C.V., and BAOJI EARAY BIO-TECH CO. LTD.

THIRD PARTIES

Brought under the Class Proceedings Act, R.S.B.C. 1996, c. 50

ORDER MADE AFTER APPLICATION

BEFORE THE HONOURABLE JUSTICE BRANCH October 1 and 2, 2024

ON THE APPLICATION of the plaintiff, James Douglas Ruckman, coming on for hearing in person at the Courthouse at 800 Smithe Street Vancouver, BC on August 2, 2024 and continued on October 1 and 2, 2024; and on hearing Anthony Leoni and Kendal Paul for the Plaintiff; and Nicole Chang for the Defendant Biotrade Canada Ltd (attending by MS Teams); Denny Chung for the Defendant Whole Foods Market and Whole Foods Market Canada Inc.; Erica Grant, and Randy Sutton for the Defendant London Drugs Limited. (the latter attending by MS Teams); Emily Kirkpatrick for the Defendants Rexall/Pharma Plus Pharmacies Ltd and Rexall Pharmacy Group Ltd; and; Jill Shore for the Defendant PNP Pharmaceuticals Inc.

AND ON READING all materials filed and on hearing the submissions of counsel;

AND ON BEING ADVISED that the defendants take no position:

THIS COURT ORDERS that:

- 1. The retainer agreement entered into with the representative plaintiff James Douglas Ruckman is approved under the Class Proceedings Act, section 38;
- 2. A fee of \$723,646.39 inclusive of taxes is approved and awarded to Rice Harbut Elliott LLP as Class Counsel payable as a first charge on the settlement funds. with 75% (\$542,734.79) being paid out as an interim fee, on or before December 2, 2024;
- 3. Disbursements of \$56,080.91 are approved and are payable to Rice Harbut Elliott LLP as a first charge on the settlement funds:
- 4. An honorarium of \$5,000 is approved and awarded to representative plaintiff James Douglas Ruckman payable as a first charge on the settlement funds; and
- The legal fees, disbursements, honorarium and applicable taxes shall be paid from 5. the settlement funds, pursuant to the terms of the Settlement Agreement.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:

Signature of Class Counsel Anthony Leoni

Signature of Lawyer for the

Defendant, Biotrade Canada Ltd.

Nicole Chang

Signature of Lawyer for the

Defendant, London Drugs Limited

Erica Grant

Signature of Lawyer for the

Defendant, Rexall Pharmacy Group

Ltd., Rexall/Pharma Plus Pharmacies

Ltd.

Emily Kirkpatrick Avigana Dhawan

BY THE COURT

RECHSTRAR

VANCOUVER

Signature of Lawyer for the Defendant, Whole Foods Market, And Whole Foods Market Canada Inc **Denny Chung**

Lawyer for the Defendant PNP Pharmaceuticals Inc

Jill Shore

By the Court