

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE  
MR. JUSTICE E.M. MORGAN

)  
)

TUESDAY, THE 11<sup>th</sup>  
DAY OF APRIL, 2023

BETWEEN



**BENJAMIN NEITSCH**

Plaintiff

- and -

**HORIZONS ETFs MANAGEMENT (CANADA) INC., HORIZONS ETF CORP., JULIE  
STAJAN, STEVEN J. HAWKINS, KEVIN BEATSON, MCGREGOR V. SAINSBURY,  
GEOFF SALMON and WARREN LAW**

Defendants

Proceeding under the *Class Proceedings Act, 1992*

**ORDER**

**THIS MOTION**, made by the Plaintiff for an order discontinuing the within action, was heard April 6, 2023, at 11:00 a.m. by video conference,

**ON READING** the Motion Record and Factum of the Plaintiff and on hearing the submissions of the lawyers for the Plaintiff and Defendants,

1. **THIS COURT ORDERS** that the within action is hereby discontinued, without costs.

**Morgan J.**

**EUAIN BROWNE, et al.**  
**Plaintiffs**

**HORIZONS ETF CORP., et al.**  
**and**  
**Defendants**

Court File No.: CV-20-00646134-00CP

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

Proceeding commenced at TORONTO

Proceeding under the *Class Proceedings Act*, 1992

**ORDER**  
**(DISCONTINUANCE OF ACTION)**

**Koskie Minsky LLP**  
900-20 Queen Street West  
Toronto, ON M5H 3R3

**David Rosenfeld** LSO #51143A  
drosefeld@kmlaw.ca

Tel: 416-595-2700 / Fax: 416-204-2894

**Jamie Shilton** LSO #80270R  
jshilton@kmlaw.ca

Tel: 416-595-2065 / Fax: 416-204-2907

**Lawyers for the Plaintiffs**