

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE MR.
JUSTICE MACLEOD

)
)
)

MONDAY, THE 3RD
DAY OF JUNE, 2024

B E T W E E N:



DAVID PARKER

Plaintiff

- and -

BLACKBERRY LIMITED

Defendant

PROCEEDING UNDER THE *CLASS PROCEEDINGS ACT, 1992*

ORDER

THIS MOTION is made by the parties jointly and on consent, for an order approving the confidentiality protocol agreed upon by the parties.

ON BEING INFORMED of the consent of the parties,

1. **THIS COURT ORDERS** that:

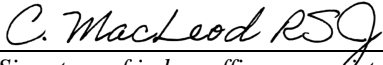
- (a) All confidential documents produced by the Defendant shall be stamped “Confidential Information” in the top left-hand corner of the document (the **“Confidential Information”**).
- (b) Attached as Schedule “A” to this Order is a list of the types of documents, or portions thereof, that the parties agree as of today’s date to be treated as Confidential Information.
- (c) Any sections of affidavits by any party or sections of transcripts referring to Confidential Information shall also be treated as Confidential Information, limited to those sections.
- (d) Personal identifying information in any documents, such as personal email addresses, phone numbers, addresses, and social security numbers, which are already redacted in the public record, shall remain redacted in the confidential record.
- (e) Plaintiff’s counsel shall not disclose Confidential Information to others except as set forth in this paragraph (e), or use the Confidential Information for any purpose other than this proceeding. Plaintiff’s counsel is permitted to share and review the Confidential Information with their four instructing clients: David Parker, Michael Dawson, John Veniot and Karmindar Brar (“Instructing Clients”), on the condition that they agree not to disclose the Confidential Information to others or use the Confidential Information for any purpose other than this proceeding, and the sharing shall occur in a restricted access electronic format so that they cannot copy, alter, save, forward, download or print the Confidential Information.

Plaintiff's counsel will also be permitted to share and review the Confidential Information with its witnesses or potential witnesses, if relevant and necessary for purposes of preparing the Plaintiff's case for trial and only for so long as necessary, on the condition that they agree not to disclose the Confidential Information to others or use the Confidential Information for any purpose other than this proceeding, and the sharing shall occur in a restricted access electronic format so that they cannot copy, alter, save, forward, download or print the Confidential Information. Plaintiff's counsel will not share or disclose the Confidential Information to other members of the class or anyone else unless they first obtain written consent from Defendant's counsel or by Order of the Court.

- (f) Any party filing a document that refers to or contains any Confidential Information shall file the document according to the following procedure:
- (i) an unredacted copy of the document shall be filed in a sealed envelope bearing the case name and number and the following designation:

“CONFIDENTIAL: THE CONTENTS OF THIS ENVELOPE
ARE SUBJECT TO A CONFIDENTIALITY/SEALING ORDER
OF THIS COURT AND SHALL NOT BE SHOWN TO ANY
PERSONS OTHER THAN A JUDGE OF THIS COURT OR
COUNSEL IN THIS CASE;” and
 - (ii) a further copy of the document shall be filed with any Confidential Information redacted; such copy shall form part of the public record, unless the entire document is to be treated confidentially in which case no copy will form part of the public record.

- (g) Any portion of a hearing or submissions referring to Confidential Information will be handled in camera. The Instructing Clients will be permitted to be present and/or listen to any portion handled in camera.
- (h) Nothing in this order shall be construed to preclude the Defendant from seeking additional protection for the Confidential Information or from otherwise seeking a modification or variation of this order. The Plaintiff may also seek review by this Court of any document, affidavit or transcript that, in Plaintiff's counsel's view, does not qualify as Confidential Information, whether only sections thereof or the entire document.
- (i) Within 60 days of the conclusion of this action, and any appeals arising out of this action, copies of documents containing Confidential Information in the possession of Plaintiff's counsel shall be destroyed or returned to Defendant's counsel.



(Signature of judge, officer or registrar)

Issuance on July 29, 2024

Schedule "A"

- The Ford-BlackBerry agreements
- Any documents or correspondence related to the negotiation of the Ford-BlackBerry agreements, including any draft Ford-BlackBerry agreements or any other attachments
- BlackBerry's organizational charts
- Any portion of the discovery transcript of Ralph Pini which refers to the terms of the Ford-BlackBerry agreements, including terms in the drafts of the agreements

Court File No. 17-71659

DAVID PARKER v. BLACKBERRY LIMITED
Plaintiff Defendant

**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at OTTAWA

ORDER

Torys LLP

79 Wellington St. W., 30th Floor
Box 270, TD South Tower
Toronto, ON M5K 1N2

Arlen K. Sternberg (LSO #: 42344D)
Tel: 416.865.8203
asternberg@torys.com

Ryan Lax (LSO #: 63740E)
Tel: 416.865.8166
rlax@torys.com

Colette Koopman (LSO #: 81804R)
Tel: 416.865.7393
ckoopman@torys.com

Lawyers for the Defendant