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R E C E I V E D	FEDERAL COURT COUR FÉDÉRALE Department of Justice November 18, 2025 18 novembre 2025 Prairie Region National Litigation Sector Charlotte Torgerson Edmonton, AB T5H 0E7
EDM	

**Ministère de la Justice
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November 18, 2025

Federal Court
Scotia Place
10060 Jasper Avenue
Tower 1, suite 530
Edmonton AB T5J 3R8

Attention: Registry Officer

Re: *BRUCE, James Gordon, et al. v. HMTK, et al.* - Federal Court File No. T-2050-23

I write to the Federal Court on behalf of both the Defendants and the Plaintiffs to seek case management. This letter is written pursuant to the informal procedure for interlocutory relief set out in the *Amended Consolidated General Practice Guidelines*, dated June 20, 2025.

The basis for case management is as follows:

1. This is a mass tort action on behalf of approximately 150 plaintiffs.
2. The Statement of Claim is 68 pages long and sets out individual facts in relation to each of the Plaintiffs.
3. This action is nearly identical to that of *Qualizza v. Canada*.¹ In *Qualizza*, case management was granted to facilitate a motion to strike.
4. As in *Qualizza*, it is the intention of the Defendants to bring a motion to strike out some or all of this claim. The Plaintiffs do not agree that the motion should be heard in priority to other steps. Therefore, the parties require the Court's assistance to determine the order of a motion to strike in the proceeding. If such a motion is allowed, then we will require the Court's assistance in setting a hearing date and establishing parameters and deadlines for the exchange of motion records leading up to an oral hearing.
5. If the action is not struck in its entirety, the parties will require the Court's assistance setting out timelines with respect to what most certainly will be significant document production including approximately 150 affidavits of documents from the Plaintiffs.

I have consulted with counsel for the Plaintiffs and she agrees with the request for case management.

Yours truly,



Barry Benkendorf
Senior Counsel
Department of Justice Canada
Prairie Region
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cc: Catherine Christensen, counsel for the Appellants, via email: cchristensen@valourlaw.com

¹ *Qualizza v. Canada* 2024 FC 1801