

THE QUEEN'S BENCH
Winnipeg Centre

BETWEEN:

RENISE MLODZINSKI, EVAN MALTMAN, and KYLE DU VAL

plaintiffs,

– and –

**UNIVERSITY OF WINNIPEG, MANITOBA HEALTH AND SENIORS CARE,
THE HER MAJESTY THE QUEEN IN RIGHT OF MANITOBA, DR. BRENT
ROUSSIN, CHIEF PUBLIC HEALTH OFFICER FOR THE PROVINCE OF
MANITOBA, and THE MINISTRY OF ADVANCED EDUCATION, SKILLS AND
IMMIGRATION FOR THE PROVINCE OF MANITOBA**

defendants

MOTION UNDER *Queen's Bench Rules*, rule 25.11

ORDER

FILED
QUEENS BENCH
JUN 09 2022
LAW COURTS
WINNIPEG

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THE QUEEN'S BENCH
Winnipeg Centre

MASTER F.A. (RICK) LEE)
)
) Friday, the 13th day of May, 2022

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RENISE MLODZINSKI, EVAN MALTMAN, and KYLE DU VAL

plaintiffs,

– and –

**UNIVERSITY OF WINNIPEG, MANITOBA HEALTH AND SENIORS CARE,
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THIS MOTION, made by the defendant, University of Winnipeg was heard remotely, by teleconference on Friday, May 13, 2022.

ON READING the Statement of Claim dated January 10, 2022, the Notice of Motion dated February 23, 2022, the Affidavit of Marcie MacDonald affirmed February 23, 2022, the Affidavit of Renise Mlodzinski sworn March 9, 2022, the Affidavit of Evan Maltman sworn March 9, 2022, the Affidavit of Kyle Du Val sworn March 9, 2022, the Motion Brief of the University of Winnipeg dated April 6, 2022,

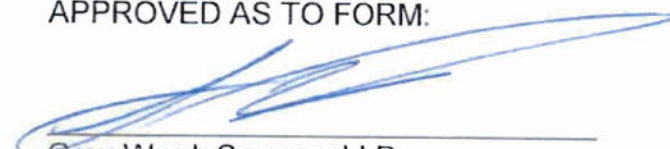
the Responding Motion Brief of Renise Mlodzinski, Evan Maltman, and Kyle Du Val dated April 21, 2022, the Reply Brief of the University of Winnipeg dated May 2, 2022, and on hearing the submissions of counsel for the University of Winnipeg and counsel for the Plaintiffs:

1. THIS COURT ORDERS that the University of Winnipeg's motion for an Order striking the Statement of Claim as against the University of Winnipeg, without leave to amend, be and is hereby granted.
2. THIS COURT ORDERS that the University of Winnipeg is entitled to costs on a Class 3 basis, pursuant to the *Queen's Bench Rules* tariff.

This 8 day of June, 2022


MASTER F.A. (RICK) LEE

APPROVED AS TO FORM:


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