



Court File No. CV-19-80725-CP

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE)
ASSOCIATE JUSTICE KAUFMAN)

MONDAY, THE 26th
DAY OF JUNE, 2023

B E T W E E N:

KAM KAZEMI

Plaintiff

- and -

FGF BRANDS INC.

Defendant

Proceeding under the *Class Proceedings Act, 1992*

ORDER

THIS MOTION, on consent, for an order dismissing the within action, without costs, was read this day at the court house, 161 Elgin Street, Ottawa, Ontario, K2P 2K1.

ON READING the Consent of the parties, filed;

1. **THIS COURT ORDERS** that this action is hereby dismissed, without costs.

2. **THIS COURT ORDERS** that under section 29.1(3) and 20(3) of the Class Proceedings Act, 1992, the form of notice of the dismissal of this proceeding attached to this Order as Schedule “A” is hereby approved.

3. **THIS COURT ORDERS** that counsel for the Plaintiff shall forthwith give the notice of the dismissal of this proceeding by:

(a) publishing the notice of dismissal and a copy of this Order on counsel for the Plaintiff’s website; and

(b) sending the notice of dismissal and a copy of this Order to every class member who has contacted counsel for the Plaintiff to express an interest in this proceeding.

4. **THIS COURT ORDERS** that counsel for the Plaintiff shall bear the costs of giving notice in the manner set out at paragraph 3 of this Order.

5. **THIS COURT ORDERS** that there shall be no costs of this motion or of this proceeding.



(Signature of judge)

Date of Issuance: 10-Jul-2023

SCHEDULE “A”

Notice Regarding Stonefire Naan ‘Authentic Flatbreads’ Class Proceeding

(Ontario Superior Court of Justice Court File No. CV-19-80725-CP)

On July 8, 2019, Mr. Kazemi (the “**Plaintiff**”) commenced a proposed class proceeding against FGF Brands Inc. (the “**Defendant**”). The proposed class proceeding involved all of the Defendant’s naan products under the Stonefire brand, the Fabulous Flats brands, and those under a variety of other store brands such as President’s Choice, Santosh, Reya, Rivaj, and Tando.

The Defendant denies all of the allegations made against it in the proceeding.

The proceeding was never advanced to certification and, as a result, the Ontario Superior Court of Justice has ordered that, effective June 26, 2023, the proceeding is dismissed for delay pursuant to s. 29.1 of the *Class Proceedings Act, 1992*.

TAKE NOTICE THAT while this proposed class action was pending, limitation periods (time limits) for starting individual claims against the Defendant regarding matters alleged in this class action were suspended. Upon the expiry of a limitation period, you may lose any right you might have had to sue. If you wish to pursue your own action against the Defendant, you should consult with your own lawyer, as you may need to take steps to protect your rights.

If you have any questions about any of the information in this notice, please contact Consumer Law Group P.C. at info@clg.org (<http://www.clg.org>) or call (613) 627-4894.

This notice has been approved by the Ontario Superior Court of Justice.

KAM KAZEMI

Plaintiff/Respondent

-and- FGF BRANDS INC.

Defendant/Moving Party
Court File No. CV-19-80725-CP

E-Service Detail:

Jeff Orenstein, *Consumer Law Group* (jorenstein@clg.org)
Andrea Grass, *Consumer Law Group* (agrass@clg.org)

**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at Ottawa

Proceeding under the *Class Proceedings Act, 1992*

ORDER

FASKEN MARTINEAU DuMOULIN LLP

Barristers and Solicitors
333 Bay Street, Suite 2400
Bay Adelaide Centre, Box 20
Toronto ON M5H 2T6

Paul J. Martin (LSO: 24140B)

pmartin@fasken.com
Tel: 416 865 4439

Sarah J. Armstrong (LSO: 47747G)

sarmstrong@fasken.com
Tel: 416 868 3452

Daanish Samadmoten (LSO: 67918O)

dsamadmoten@fasken.com
Tel: 416 868 7823

Lawyers for the defendant