

## Flight PS752 Class Action - March 2020 Update

The Class Action continues to proceed forward, while representatives of various governments continue to discuss issues related to the investigation into the downing of the plane, including establishing the causes of the tragedy and bringing the perpetrators to justice.

On March 1, 2020 Plaintiff's Counsel convened an open meeting with family members of the victims. Notice of the meeting was posted at [www.flights752.ca](http://www.flights752.ca) and communicated on social media. The attendees were provided updates on the Class Action and given an opportunity to have their questions answered.

On March 6, Plaintiff's Counsel held a second open meeting to provide information and address family members' questions. The meeting was well and attended and received.

On March 13, Global Affairs Canada reported to Plaintiff's Counsel on their ongoing efforts to serve the Statement of Claim onto the Iranian Defendants.

On March 15, to protect the health and safety of all court users and to help contain the spread of the 2019 novel coronavirus (COVID-19), the Ontario Superior Court of Justice announced it was suspending court operations, with limited exceptions, until further notice. Similar court suspensions were announced across Canada.

Despite the suspension of court operations, on March 17, the Class Action's initial case conference was held by teleconference. Justice Morgan scheduled two motions:

- (1) The litigation funding agreement (LFA) approval motion for September 2020; and,
- (2) The Certification Motion for February 2021.

Other matters that were addressed at the case conference include:

- (3) Plaintiff's Counsel updated the Court on Global Affairs Canada's efforts to serve the Statement of Claim on the Iranian Defendants. Justice Morgan was encouraged that Global Affairs issued the report despite Covid-19;
- (4) The existence of another class action (against Iranian defendants only), and;
- (5) Whether the Receipts UIA was using for Advance/Interim Payments would be enforceable.

We are encouraged that discussions at the government level are ongoing and are pleased that the Court is continuing to schedule and hear the Class Action despite the Covid-19 court closures. A sign of the strength and resilience of the Canadian Court system and the importance it places on access to justice for its users.

Regards, be safe and be well,

Tom Arndt

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