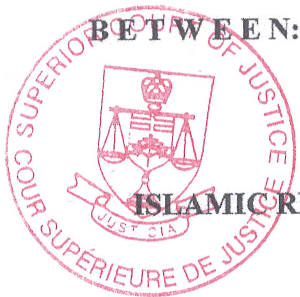


Court File No.: CV-20-00634770-00CP
Court File No.: CV-20-00635078-00CP

ONTARIO
SUPERIOR COURT OF JUSTICE

THE HONOURABLE)
JUSTICE GLUSTEIN)

MONDAY, THE 9TH
DAY OF NOVEMBER, 2020



BETWEEN:

OMID ARSALANI

Plaintiff

- and -

**ISLAMIC REPUBLIC OF IRAN, ISLAMIC REVOLUTIONARY GUARD CORPS,
UKRAINE INTERNATIONAL AIRLINES PJSC, and
JOHN DOE MISSILE OPERATOR**

Defendants

AND BETWEEN:

JOHN DOE

Plaintiff

- and -

**ISLAMIC REPUBLIC OF IRAN, ISLAMIC REVOLUTIONARY GUARD CORPS also
known as ARMY OF THE GUARDIANS OF THE ISLAMIC REVOLUTION also known
as IRANIAN REVOLUTIONARY GUARD CORPS, IRANIAN ARMED FORCES also
known as ARMED FORCES OF THE ISLAMIC REPUBLIC OF IRAN, ALI
KHAMENEI also known as SUPREME LEADER OF IRAN, MOHAMMAD BAGHERI
also known as MOHAMMAD-HOSSEIN AFSHORDI, HOSSEIN SALAMI, SEYYED
ABDOLRAHIM MOUSAVI and AMIR ALI HAJIZADEH**

Defendants

Proceeding under the *Class Proceedings Act, 1992*

ORDER
(Carriage Motion)

THESE MOTIONS, made by (i) the plaintiff Omid Arsalani (Arsalani) in Court File No. CV-20-00634770-00CP (the Arsalani Action) and (ii) the plaintiff Ali Ashgar Gorji (Gorji) in Court File No. 20-00635078-00CP (the Gorji Action), for an Order to determine which of the

plaintiffs shall have carriage of the class action brought in relation to the downing of Ukraine International Airlines Flight PS752 on January 8, 2020, were heard on October 27, 2020 by videoconference.


ON READING the Motion Record of the plaintiff Arsalani, Affidavit of Jennifer Kaas sworn October 8, 2020, Factum and Reply Factum of the plaintiff Arsalani, the Motion Record of the plaintiff Gorji, Reply Motion Record and Factum of the plaintiff Gorji, the Statement of Claim in Court File No. CV-20-00649885-00CP (the Zarei Action), and on hearing submissions from counsel for the plaintiff Arsalani, counsel for the plaintiffs Gorji, Mehrzad Zarei, and Shahin Moghaddam, counsel for Ukraine International Airlines PJSC (UIA), and counsel for the Attorney General of Canada representing the Department of Foreign Affairs (Attorney General of Canada), no one appearing for the Islamic Republic of Iran, Islamic Revolutionary Guard Corps (IRGC), and John Doe Missile Operator or the other named defendants in the Gorji Action;

AND BEING ADVISED THAT UIA and the Attorney General of Canada took no position on the motion:

1. **THIS COURT ORDERS** that carriage of the proposed class action is granted to the plaintiff Arsalani in the Arsalani Action;
2. **THIS COURT FURTHER ORDERS** that the Gorji Action and Zarei Action be stayed without prejudice to the plaintiffs in those actions seeking leave to continue their actions as individual (or consolidated) actions; and
3. **THIS COURT FURTHER ORDERS** that no other proposed class actions shall be commenced in Ontario in respect of the subject matter of this action without leave of the court.

ENTERED AT / INSCRIT A TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO.:

DEC 4 - 2020


Justice Glustein

PER / PAR:



Court File No.: CV-20-00634770-00CP
Court File No.: CV-20-00635078-00CP

ARSALANI
Plaintiff

ISLAMIC REPUBLIC OF IRAN et. al.
Defendants

-and-

DOE
Plaintiff

ISLAMIC REPUBLIC OF IRAN et. al.
Defendants

ONTARIO
SUPERIOR COURT OF JUSTICE

Proceedings commenced at **TORONTO**

ORDER
(CARRIAGE MOTION)

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Lawyers for the Plaintiff in the Arsalani
Action