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BARRISTERS & SOLICITORS

March 9, 2005

BY EMAIL

Uniform Law Conference of Canada
3454 Stanley Street – 6
Montreal, Quebec
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Attention: Anthony M. Hoffmann,
National Coordinator
Commercial Law Strategy

Dear Mr. Hoffmann:

National Class Actions Project: Submission of Report

Last fall I was asked by Jennifer Babe, Chair of the Commercial Law Strategy Committee of the Uniform Law Conference of Canada, to chair a National Class Actions Project, the purpose of which would be to prepare a report of not more than 25 pages on the national class and related interjurisdictional issues affecting class actions in Canada, and to recommend any appropriate amendments for the Uniform Class Proceedings Act (the “Uniform Act”).

With the assistance of Ms. Babe, I formed a Committee of practising lawyers and academics from several Canadian jurisdictions; the members of the Committee have expertise in class actions, conflicts of laws, constitutional law, civil procedure and many other relevant areas.

I am attaching for your review the Committee’s report, which is entitled “Report of the Uniform Law Conference of Canada’s Committee on the National Class and Related Interjurisdictional Issues: Background, Analysis, and Recommendations”. You will note that we have set out our recommendations for legislative changes in the first substantive section of the paper, followed by the analysis. Given the subtleties and importance of the issues, and the time constraints, our recommendations were not intended to give the precise language of recommended amendments to the Uniform Act. However, the language of our recommendations was chosen with extreme care, and in my view if any or all of the Committee’s recommendations are accepted by the ULCC, they can be applied to the Uniform Act with little difficulty. As Chair of the Project I am happy to continue to the next stage -- fine-tuning the legislative language and perhaps giving a brief commentary with the amendments – and several of the Committee members have expressed an interest in participating in such work, assuming, of course, that the ULCC wishes the Project to proceed.

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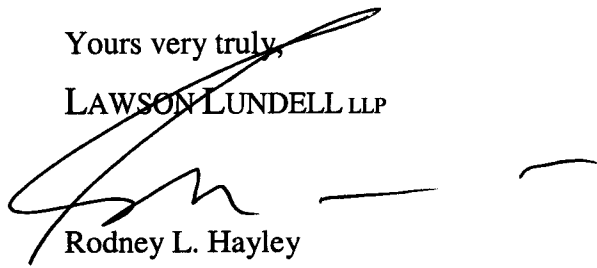
I would like to take this opportunity to thank Ms. Babe and you, as well as your other ULCC colleagues, for coordinating the Project so smoothly and effectively. I would also like to thank the members of the Committee who have worked extremely hard over the last few months on researching, analyzing, and discussing these complex and subtle issues.

In closing, I wish to suggest that, in my respectful view, the analysis and recommendations in the Report, if accepted, will have a profound and positive influence on the conduct of national and other multijurisdictional class actions in Canada.

Please do not hesitate to call or write if you have any questions.

Yours very truly,

LAWSON LUNDELL LLP

A handwritten signature in black ink, appearing to read 'Rodney L. Hayley', is written over the typed name. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Rodney L. Hayley

RLH/tym

Enc.

cc. Dominique D'Allaire
Geoffrey Aylward
Jennifer Babe
Ward Branch
Chris Dafoe
Aldé Frenette
Craig Jones
Stephen Lamont
Peter Lown, Q.C.
Andrew Roman
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