

2006 01T 2966 CP

IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
TRIAL DIVISION

BETWEEN:

VERNA DOUCETTE

PLAINTIFF

AND:

EASTERN REGIONAL INTEGRATED HEALTH
AUTHORITY

DEFENDANT

BROUGHT UNDER THE *CLASS ACTIONS ACT*
BEFORE THE HONOURABLE MR. JUSTICE THOMPSON,
CASE MANAGEMENT JUDGE

NOTICE TO ADMIT

TAKE NOTICE that the Plaintiff requests that the Defendant, within ten days after service of this notice, to admit for the purposes of this proceeding only and subject to all objections to admissibility that may be asserted at the trial or hearing:

1. that each of the facts set out in Schedule A is true;
2. that each of the documents listed in Schedule B (a true copy of which is attached hereto, and if it is necessary, the document may be inspected by immediately communicating with the undersigned),
 - (a) that is specified to be an original, was written, signed or executed as it purports to have been;
 - (b) that is specified to be a copy, is a true copy; and

(c) that is stated to have been served, sent or delivered was so served, sent or delivered.

AND FURTHER TAKE NOTICE that, unless the Court otherwise orders, the truth of any such fact and the authenticity of any such document will be deemed to be admitted, for the purposes of this proceeding only, unless you, within the above period, serve upon me a statement that:

- (a) specifically denies the truth of the fact or the authenticity of the document and sets forth in detail the reasons why you cannot make the admission;
- (b) declares that the admission of the truth of the fact or the authenticity of the document cannot be made on the ground of privilege or irrelevancy; or
- (c) that the request is otherwise improper and sets forth in detail the reasons therefor.

DATED at St. John's, in the Province of Newfoundland and Labrador, this _____ day of February, 2009.

CHES CROSBIE BARRISTERS

Solicitors for the Plaintiff
Whose address for service is:
169 Water Street, 4th Floor
St. John's, NL A1C 1B1
Attention: Chesley F. Crosbie, Q.C.

TO: STEWART MCKELVEY
Solicitors for the Defendant
11th Floor, Cabot Place
100 New Gower Street
St. John's, NL A1C 5V3
Attention: Daniel M. Boone

Schedule "A"

1. The Defendant owed duties, and the Defendant breached those duties, throughout the Class Period.
2. The Defendant breached duties in tort of negligence and in contract.
3. The Defendant caused compensable damage to all members of the Class.