

25th Floor | Vancouver, BC | Tel 604 684 9151 | www.farris.com
700 W Georgia St | Canada V7Y 1B3 | Fax 604 661 9349

Reply Attention of: Joseph J. Arvay, Q.C.
Direct Dial Number: (604) 661-9338
Email Address: jarvay@farris.com

Our File No.: 35635-0001

June 4, 2015

BY HAND

Federal Court Registry
P.O. Box 10065, Pacific Centre
701 West Georgia Street
Vancouver BC V7Y 1B6

**Attention: Julia Orchard,
Registry Officer, Case Management**

Dear Ms. Orchard:

**Re: *Hillis et al v. Attorney General of Canada et al.*
Federal Court File No. T-1736-14**

By letter of May 29, 2015 we have been directed by Prothonotary Lafrenière to submit a letter setting out a proposed deadline for service and filing of the Plaintiffs' motion record in response to the Defendants' motion to strike portions of the Plaintiffs' affidavits (the "Affidavit Motion").

In our respectful submission, the Defendants' motion should be heard at the same time as the Plaintiffs' application for summary trial. The reason for this is that much of the Defendants' objection turns on the relevance of the Plaintiffs' experts' evidence. It is difficult to demonstrate the relevance of the evidence without wading into the substance of the arguments that will need to be made in support of our application for a summary trial. Hence, it will be both more efficient and helpful to the Court for the Defendants' Affidavit Motion to be argued at the same time as the Plaintiffs' application for summary trial. We understand that this approach is also consistent with the practice of this Court.

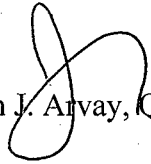
As the hearing of the Plaintiffs' application is set for August 4 and 5, 2015, we would propose to file our Motion Record on the Affidavit Motion by July 20, 2015. As the Defendants would have filed their Motion Record in response to our application for summary trial by then – July 13th - our Written Representations on the Affidavit Motion will be made given the full context of the argument and evidence that is expected to be made on the substantive issues.

Please forward this letter to Prothonotary Lafrenière with our respects.

Yours truly,

FARRIS, VAUGHAN, WILLS & MURPHY LLP

Per:


Joseph J. Arvay, Q.C.*

** A Law Corporation*

JJA/sy

c.c.: Department of Justice Canada, Attn: Michael Taylor