

## JUDICATURE ACT

### RULES OF THE SUPREME COURT, 1986

#### PRACTICE NOTE P.N. (TD) No. 2008-02

DATE ISSUED:	August 1, 2008
RULES AFFECTED:	7A
EFFECTIVE DATE:	Upon publication
PREVIOUS PRACTICE NOTES REVISED:	N/A

The following Practice Note was filed with the Registrar, as Secretary of the Rules Committee of the Trial Division, and is published pursuant to rule 4.04 of the *Rules of the Supreme Court, 1986*.

### NATIONAL DATA BASE OF CLASS PROCEEDINGS

#### Background

1. The Canadian Judicial Council has endorsed the recommendation of the Uniform Law Conference of Canada for the creation of a Canadian Class Proceedings Database to facilitate the exchange of information about multi-jurisdictional class proceedings.
2. The Canadian Bar Association has announced a pilot project to establish such a Database and this Practice Note is used to support the initiative.
3. Similar practice notes or directions have already been issued in a number of provinces. It is anticipated that similar procedures will be implemented across the country and that lawyers and members of the public will be able to search the Database to obtain information about class action proceedings that have been commenced in any jurisdiction in Canada.

#### Practice Note

4. For existing class proceedings, within sixty days of the effective date of this Practice Note, and for new class proceedings, within ten days of service or filing, whichever is earlier, a copy of any:
  - (1) originating process (statement of claim or originating application issued under the *Class Actions Act*, SNL 2001, c. C-18.1);

- (2) application for certification (not including affidavits in support); and
- (3) amendments to the foregoing.

must be sent electronically by counsel for the plaintiff(s) to the National Class Action Database of the Canadian Bar Association at the following address:

National Class Action Database  
Canadian Bar Association  
Email: [classaction@cba.org](mailto:classaction@cba.org)  
Website: [www.cba.org/classactions](http://www.cba.org/classactions)

- 5. The registration form attached as Schedule “A” to this Practice Note, completed preferably in MS Word format, must be included as an attachment to the email when submitting documents to the National Class Action Database, with data entered electronically. A copy of this registration form may be obtained online through the above email or website. With respect to documents accompanying the registration form, PDF is the preferred format; however, MS Word documents will also be accepted.
- 6. Upon submitting the registration form, counsel must also file in the Court a copy of the registration form, attached to a certificate in the form annexed as Schedule “B” to this Practice Note, confirming compliance with paragraph 4.
- 7. Counsel for the plaintiff(s) is responsible for verifying the accuracy of the information posted to the Canadian Bar Association website and for advising the Database of any changes to information already posted.
- 8. The Canadian Bar Association advises that an RSS (“Really Simple Syndication”) feed is available to push news of an update to the Database to anyone who chooses to subscribe to it.

AUTHORIZED BY:

J. DEREK GREEN  
Chief Justice of the Supreme Court  
of Newfoundland and Labrador, Trial Division

CHRISTOPHER P. CURRAN, Q.C.  
Registrar of the Supreme Court  
Secretary, Rules Committee