



Brief Reasons, if any:

I have now had an opportunity to review the draft issues lists submitted by the parties. I note that Canada observes that “the parties have not had an opportunity to confer on the plaintiff’s proposed Issues List” and that Ontario is “open to having a further discussion with all counsel to assess whether there an ability to narrow the issues of disagreement.”

I request the parties meet to attempt to resolve the remaining differences between the parties in advance of the case conference on December 16, 2025. It would be helpful for the parties to make as much progress as possible to come up with a joint issues list that is at the appropriate level of detail. I anticipate that it will be necessary for me to sign a formal bifurcation order, including an issues list, before a trial judge is appointed. I have attached such an order issued by Gans J. in 2019 in a different case.

I will set up a summary process to resolve any remaining disputes if the parties are not able to reach a consensus on an issues list by early 2026. I ask each party to provide an update on your progress, including a consensus issues list or updated issues lists by noon on December 12, 2025.

Additional pages attached:            Yes    X    No

November 17, 2025



Signature of Judge