

CITY OF HAMILTON

MOTION

COUNCIL DATE: February 8, 2012

MOVED BY COUNCILLOR R. POWERS.....

SECONDED BY COUNCILLOR

7.7 City of Hamilton ats Bre-Ex Limited (LS10005(a)) (City Wide)

- (a) That the City Solicitor be directed to agree to set the Pre-Judgment interest in Ontario Superior Court File No. 47804 (Bre-Ex Limited v City of Hamilton) at \$210,000;
- (b) That the City Solicitor be directed to preserve the City’s right in Ontario Superior Court File No. 47804 (Bre-Ex Limited v City of Hamilton) by filing an Appeal within the time frame permitted by the Rules of Civil Procedure;
- (c) That the City Solicitor report back as soon as possible with a full legal opinion regarding the prospects for success on an Appeal;
- (d) That the contents of Report LS10005(a) remain confidential, except for Appendix “C” attached to Report LS10005(a), and attached hereto as Appendix “A”, which is a public document.

Approved by General Issues
Committee on February 3, 2012