

Consensus Position on Intervenor Participation

General Provisions

1. The Court's deadlines respecting non-Attorney General interventions and a hyperlink to a copy of Order in Council 112/2019 shall be posted on the homepage of the Ministry of Justice and Solicitor General from August 28, 2019, to September 18, 2019.
2. "Historical Intervenors" means approved intervenors in the Saskatchewan or Ontario GGPPA Reference cases that are not Attorneys General (**AGs**).
3. All filings of Historical Intervenors relating to their Letter of Intent to participate may be filed electronically with the Court. All filings of all approved parties may be served on all other parties electronically without the requirement of further consent for electronic service.
4. Any outstanding issues on non-AG interventions that were not fully resolved by, or addressed in, this consensus position, and any applications for exception to this consensus position (collectively "**Exception Applications**") shall be filed by September 5, 2019 in accordance with Justice Slatter's August 14, 2019 Order. Any responses to an Exception Application shall be filed by September 12, 2019 and shall be heard by the Court on September 18, 2019.
5. Scope of participation: submissions of all Historical Intervenors to be limited to the legal issue before the Court: *Is the GGPPA constitutionally valid?* (without limiting sections of the Constitution/Charter that may be argued).
6. Cost awards: no cost awards will be made in favour of, or as against, Historical Intervenors.

[Consensus Table follows on next page.]

Consensus Table

Procedural Item	Historical Intervenors	Proposed Timeline
Right to Participate	Granted. No objections.	Letter of Intent to participate to be electronically filed with the Court by September 3, 2019.
Confirmation Letter	Letter confirming participation to be electronically served on all AGs and electronically filed with the Court by September 3, 2019.	Letter of Intent to participate to be electronically filed with the Court by September 3, 2019.
Intervenor Supporting Affidavits and/or Evidence	Permitted, subject to any AG submissions regarding admissibility.	Two weeks after all responding AG facta have been filed, subject to the direction of the Court once the timelines of the Supreme Court of Canada are known.
Intervenor Right to Cross-examine Applicant (AB AG) Affiant / Opinion Evidence	Any cross examination on evidence shall follow the filing of all evidence. Any Intervenor rights to cross examine shall be determined by the Court upon application in accordance with Justice Slatter's August 14, 2019 Order and any permitted intervenor cross examination shall be limited to matters not otherwise tested by the non-applicant AGs.	To be determined by the Court upon application in accordance with Justice Slatter's August 14, 2019 Order (M49500).
Facta <ul style="list-style-type: none"> • length • format 	Maximum of 15 pages in length as per ARC, Part 14.	Two weeks after all responding AG facta have been filed, subject to the direction of the Court once the timelines of the Supreme Court of Canada are known.
Oral Submissions	Maximum of 15 minutes, subject to direction of the Court.	Order of appearance to be determined by the Court.