

**NOTICE OF SETTLEMENT APPROVAL IN THE MATTER OF DAVID IVANY,
JEAN DUVAL and KAREN ABERNOT v. FINANCIERE TELCO INC. et al. CLASS ACTION**

PLEASE READ THIS NOTICE CAREFULLY AS IT MAY AFFECT YOUR LEGAL RIGHTS

TO MEMBERS OF THE CWT SUBCLASS: If you were a client of Brian Verbeek (“Verbeek”) who transferred monies from your Registered Retirement Plan to Canadian Western Trust Company (“CWT”), between August 1998 and June 21, 2001, to purchase shares in one or more of the following Canadian Controlled Private Corporations (“CCPCs”): Atlas McKenzie Inc., Data Safenet Inc., Distribution Perilandaise Inc., Eau-Necessaire Inc., Eurontario Inc., Flash VDO PC Inc., Generatrices 2000 Plus Inc., LMN Techno-Soft Inc., Logiciels St. Malo Inc., Mainmont, NAV et LOGI-CIEL Inc., Silkon Securities Inc., Vilcorp, Edimax Technologie Inc., Inter Technologie Inc., Intermax Technologie Inc., Via Net Tech Inc., CL-B, or Vox Technologie Inc, which shares then were held in a CWT account, and have not opted out of this lawsuit, you are a member of the CWT Subclass. For the purpose of this Notice, “Registered Retirement Plans” include Locked-in Retirement Accounts, Life Income Funds, Registered Retirement Income Funds, and locked-in Registered Retirement Savings Plans.

The Ontario Superior Court of Justice has approved a Settlement Agreement between the CWT Representative Plaintiff (David Ivany) on behalf of the CWT Subclass and CWT in this class action lawsuit.

If you would like a copy of the Settlement Agreement, it is available at www.moodiemair.com.

The CWT Representative Plaintiff and CWT have agreed to settle the lawsuit.

1. Summary of Settlement Agreement

a. Background of the Action

This Action was commenced in 2001 in the Ontario Superior Court of Justice. The Class and Class Members seek damages to compensate Class Members for money allegedly lost as a result of an arrangement in which their retirement savings were used to purchase shares in one or more of the following CCPCs: Atlas McKenzie Inc., Data Safenet Inc., Distribution Perilandaise Inc., Eau-Necessaire Inc., Eurontario Inc., Flash VDO PC Inc., Generatrices 2000 Plus Inc., LMN Techno-Soft Inc., Logiciels St. Malo Inc., Mainmont, NAV et LOG-CIEL Inc., Sylkon Securities Inc., Vilcorp, Edimax Technologie Inc., Inter Technologie Inc., Intermax Technologie Inc., Via Net Tech Inc. CL-B, or Vox Technologie Inc.

The Settled Defendant Dundee and the Settling Defendant, Canadian Western Trust Company (“CWT”) have denied and continue to deny any liability to the Class. CWT is not alleged to have been an active participant in any wrongdoing. The Class Action has been vigorously contested.

b. Compensation to CWT Subclass Members

On December 21, 2022, the Plaintiffs entered into a Settlement Agreement with CWT. Complete copies of the Settlement Agreement are available to be viewed on Class Counsel’s website referenced below.

Pursuant to the Settlement Agreement, CWT has agreed, as part of the Settlement, to pay to or for the benefit of the CWT Subclass the total sum of \$515,000.00.

The Settlement is a compromise of disputed claims and is not an admission of liability, wrongdoing or fault on the part of CWT.

On February 7, 2022, the Court approved the Settlement and declared that it is fair, reasonable, and in the best interests of the CWT Subclass.

In return for its payment of \$515,000.00, CWT and other Releasees will receive releases, and the Class Action and any related claims will be dismissed against them.

The Class Action arises out of an alleged Registered Retirement Plan arrangement. As such, CWT Subclass members who participate in the Settlement may face tax consequences, for which each CWT Subclass member will be responsible. If you have questions regarding how the Settlement may impact you, please speak to your tax lawyer or your accountant.

c. Class Counsel Fees

The Court also awarded Class Counsel legal fees, expenses and applicable taxes in the total amount of \$119,073.75, based upon \$105,375.00 (“Class Counsel Fees”). As is customary in these cases, Class Counsel conducted the Class Action on a Contingency Fee Retainer, meaning that Class Counsel were not paid as the matter proceeded. Class Counsel Fees will be deducted from the Settlement Amount before it is distributed to members of the CWT Subclass. The net remainder of the Settlement Amount following the deduction of Class Counsel Fees will be the “Distribution Fund.” Class Counsel will not seek additional payment for its future time spent or expenses incurred in the proceeding against CWT or any of the Releasees.

The Class Proceedings Fund provided some funding for the Class Action, as well as indemnification in the event of any adverse costs awards. As such, the Court also ordered that the Class Proceedings Fund will be paid \$45,492.62 from the Distribution Fund.

2. How to Make a Claim to Receive Part of the Distribution Fund

In order to be eligible for compensation, you must:

- Be a member of the CWT Subclass;
- Not have opted out of the Class Action; and
- Provide records to support losses allegedly incurred.

The Court has appointed RicePoint Administration Inc. as the Administrator of the Settlement. The Administrator will oversee the claim and will distribute the Distribution Fund to members of the CWT Subclass who submit a valid Claim Form.

The Settlement Administrator will determine what proportion of the Distribution Fund, if any, you are entitled to receive, based on records of any losses claimed to have been suffered.

Claim Forms will be mailed to all members of the CWT Subclass for whom Class Counsel have current contact information. Claim Forms will also be available by contacting the Administrator or visiting either the Administrator's website or Class Counsel's website.

Members of the CWT Subclass who wish to receive compensation from the Distribution Fund must mail or email a signed and completed Claim Form to the Administrator no later than July 20, 2023 (the "Claim Deadline").

Members of the CWT Subclass who send a valid Claim Form to the Administrator, postmarked by the Claim Deadline, will be paid a *pro rata* share of the Distribution Fund, following deduction of all fees, expenses, and taxes. The Distribution Protocol posted on Class Counsel's website contains an explanation of how the Distribution Fund will be distributed to the CWT Subclass members or their Registered Retirement Plans.

The Settlement Agreement, the Settlement Approval Order, the Distribution Protocol and Claim Forms, as well as other information regarding the Class Action are available on Class Counsel's website at: www.moodiemair.com.

These documents are also available on the Administrator's website at: www.cwtsettlement.ca.

3. Method of Payment of Distribution Fund

If you are eligible to receive payment, your portion of the Distribution Fund will be deposited into an existing Registered Retirement Plan Account held by you, unless you elect an alternative option for payment. If you are eligible to receive payment, you must choose one of three payment options as set out in Section D of the Claim Form:

- a direct deposit into your existing Registered Retirement Plan Account ("Account") or other registered account at another Canadian financial institution; or
- direct payment by cheque, subject to an amount that will be withheld by RicePoint Administration Inc. on account of taxes that must be remitted to the government.

If you elect to have payment deposited into your existing Account or other registered account at another Canadian financial institution, you are solely responsible for ensuring that you are entitled to deposit the payment into your registered account pursuant to applicable income tax laws and regulations, and you may be asked by the Administrator to provide documentation to verify this entitlement. CWT and the Releasees have no responsibility to confirm that you are entitled to deposit your payment into your registered account.

4. Important Deadlines

July 20, 2023 – Deadline to submit election of form of payment of Distribution Fund to RicePoint Administration Inc.

5. Interpretation

If there is a conflict between the provisions of this Notice and the Settlement Agreement, the terms of the Settlement Agreement will prevail.

You are entitled to, but not obliged to, hire your own lawyer to provide you with advice or assistance regarding your individual claim for compensation from the Settlement Funds. If you do so, you will be responsible for paying that lawyer's legal fees.

The Ontario Superior Court of Justice offices cannot answer any questions about the matters in this Notice. Please do not contact the Court regarding this Notice.