

SCHEDULE C

NOTICE PLAN – PART 1

A. NOTICE OF HEARING FOR SETTLEMENT APPROVAL AND OPT-OUT (“NOTICE OF HEARING AND OPT-OUT”)

(1) For the purposes of this Notice Plan, the definitions found in the Settlement Agreement apply.

(2) Reference is made in this Notice Plan to the *Notice of Hearing for Settlement Approval and Opt-Out (Long Form)* in English and in French (the “**Long-Form Notice of Hearing and Opt-Out**”, **Schedule B-1** to the Settlement Agreement), and the *Notice of Hearing for Settlement Approval and Opt-Out (Short Form)* in English and in French (the “**Short Form Notice of Hearing and Opt-Out**”, **Schedule B-2** to the Settlement Agreement).

(3) The Notice of Hearing and Opt-Out shall be disseminated as follows:

- (a) Within five (5) business days of the First Order, the Defendant will provide the Settlement Administrator with a list of Class Members’ email addresses that they have on file, as per the Distribution Protocol.
- (b) Within ten (10) days of the First Order, the Settlement Administrator will send the Short-Form Notice of Hearing and Opt-Out (**Schedule B-2**) to Class Members by email, using the email addresses for Class Members provided by the Defendant, except where Class Counsel has provided the Settlement Administrator with updated email addresses received from Class Members who contacted Class Counsel directly, in which case the Settlement Administrator shall use such updated email addresses. The Short-Form Notice of Hearing and Opt-Out sent to Class Members by email will contain a hyperlink to the Long-Form Notice of Hearing and Opt-Out (**Schedule B-1**) on the Settlement Website (as defined in the Distribution Protocol, **Schedule D** to the Settlement Agreement).

- (c) In the event an email containing a notice is undeliverable or bounces back, the Settlement Administrator will verify that the email used matches the identifying information provided by the Defendant (as updated, if applicable). The Settlement Administrator will then re-issue the email containing the notice to the Class Member(s) in question.
 - (d) No further attempts to deliver the notice will be made if the email is undeliverable or bounces back. The Settlement Administrator will provide the Defendant with a list of all emails that were undeliverable or bounced back.
 - (e) The Defendant will conduct a reasonable search of its internal records to identify whether an updated email address for the Class Members in question is available.
 - (f) If updated email addresses are found for the Class Members whose notice email bounced back, the Defendant will communicate these to the Settlement Administrator when reasonably possible.
- (4) Once the settlement is made public by the filing of materials before the Court in connection therewith, Class Counsel will, at their expense, post the Long Form Notice of Hearing and Opt-Out (**Schedule B-1**), and Short Form Notice of Hearing and Opt-Out (**Schedule B-2**), the Settlement Agreement with its schedules and any relevant proceedings and judgments on their firm's webpage dedicated to the present Class Action and on the Quebec Class Action Registry.
- (5) Class Counsel will also have the option, at their expense, to send the Notice of Hearing and Opt-Out (**Schedule B-2**) by email solely to those individuals who have previously contacted Class Counsel in this file.
- (6) Within ten (10) days of the First Order, the Settlement Administrator shall cause a Settlement Website to be created in both English and French, as detailed in the

Distribution Protocol, at URLs to be approved by the Defendant. The Settlement Website will provide addresses to contact the Settlement Administrator by email and mail.

(7) Within ten (10) days of the First Order, the Settlement Administrator will set up and maintain a toll-free telephone system with live bilingual support for Class Members.