



Court File No.: 766-2010 CP

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE) Friday , THE 26th DAY
JUSTICE LEITCH) OF July , 2024.

B E T W E E N :

ROBERT FOSTER and MURRAY DAVENPORT

Plaintiffs

-and-

**SEARS CANADA INC.; SEARS HOLDINGS CORPORATION; JOHN DEERE CANADA ULC;
DEERE & COMPANY; TECUMSEH PRODUCTS OF CANADA, LIMITED; TECUMSEH
PRODUCTS COMPANY; PLATINUM EQUITY, LLC; BRIGGS & STRATTON CANADA INC.;
BRIGGS & STRATTON CORPORATION; CANADIAN KAWASAKI MOTORS INC.; KAWASAKI
MOTORS CORP., USA; MTD PRODUCTS LIMITED; MTD PRODUCTS INC; THE TORO
COMPANY (CANADA), INC.; THE TORO COMPANY; HONDA CANADA INC.; AMERICAN
HONDA MOTOR CO., INC.; ELECTROLUX CANADA CORP.; ELECTROLUX HOME
PRODUCTS, INC.; HUSQVARNA CANADA CORP.; HUSQVARNA CONSUMER OUTDOOR
PRODUCTS N.A., INC.; KOHLER CANADA CO.; KOHLER CO.**

Defendants

PROCEEDING UNDER THE CLASS PROCEEDINGS ACT, 1992

**ORDER
(Motion for Approval of the Distribution of the Residual Settlement Funds)**

THIS MOTION, made by the plaintiffs for an Order approving the final distribution of residual settlement funds and other ancillary claims administration related matters was heard this day at the Court House, 80 Dundas Street, London, Ontario.

ON READING the materials filed by the Plaintiffs:

1. **THIS COURT ORDERS** that the plan for the final distribution of the residual settlement funds as proposed by Class Counsel in the Affidavit of Sarah Bowden, which is attached hereto as **Schedule "A"**, is hereby approved.
2. **THIS COURT ORDERS** that the claims administration related expenses of RicePoint Administration Inc. in respect of distributing the remaining settlement funds is hereby approved, to a maximum of \$15,000, and that such expenses shall be paid from the settlement funds.
3. **THIS COURT ORDERS** that in the event that any settlement funds remain following the distribution of residual settlement funds, the distribution of those remaining settlement funds by way of a *cy-près* distribution, in equal shares to the Retail Council of Canada and to the Consumers' Council of Canada, is approved.
4. **THIS COURT ORDERS** that following the distribution of settlement funds outlined in paragraph 1 of this Order and the *cy-près* distribution, if any, outlined in paragraph 3 of this Order, RicePoint Administration Inc. is discharged from its duties as claims administrator, which discharge does not include a release of any claims against RicePoint Administration Inc.

Date: July 26, 2024


The Honourable Justice Leitch

SCHEDULE "A"

Court File No.: 766-2010 CP

**ONTARIO
SUPERIOR COURT OF JUSTICE**

BETWEEN:

ROBERT FOSTER and MURRAY DAVENPORT

Plaintiffs

-and-

**SEARS CANADA INC.; SEARS HOLDINGS CORPORATION; JOHN DEERE CANADA ULC;
DEERE & COMPANY; TECUMSEH PRODUCTS OF CANADA, LIMITED; TECUMSEH
PRODUCTS COMPANY; PLATINUM EQUITY, LLC; BRIGGS & STRATTON CANADA INC.;
BRIGGS & STRATTON CORPORATION; ~~CANADIAN KAWASAKI MOTORS INC.~~; KAWASAKI
MOTORS CORP., USA; MTD PRODUCTS LIMITED; MTD PRODUCTS INC; THE TORO
COMPANY (CANADA), INC.; THE TORO COMPANY; HONDA CANADA INC.; AMERICAN
HONDA MOTOR CO., INC.; ELECTROLUX CANADA CORP.; ELECTROLUX HOME
PRODUCTS, INC.; HUSQVARNA CANADA CORP.; HUSQVARNA CONSUMER OUTDOOR
PRODUCTS N.A., INC.; KOHLER CANADA CO.; KOHLER CO.**

Defendants

PROCEEDING UNDER THE *CLASS PROCEEDINGS ACT*, 1992, S.O. 1992, c. 6

**AFFIDAVIT OF SARAH BOWDEN
(Motion for Approval of the Distribution of Residual Settlement Funds)**

I, SARAH BOWDEN of the City of London, in the Province of Ontario, **MAKE OATH AND
SAY:**

1. I am a lawyer at Foreman & Company Professional Corporation ("Foreman & Company"),
counsel for Robert Foster and Murray Davenport, the Representative Plaintiffs in the within
Action, and as such have knowledge of the matters to which I hereinafter depose except

where the facts stated are based upon information and belief in which case I have stated the source of the information and I believe such facts to be true.

NATURE OF THE MOTION

2. This motion is for an Order: (i) approving the final distribution of the residual settlement funds which are associated with uncashed payments to class members; (ii) approving the costs of the claims administrator to distribute the residual settlement funds; (iii) that any settlement funds that remain after the proposed distribution be distributed *cy-près* to the Retail Council of Canada and to the Consumers' Council of Canada; and (iv) discharging RicePoint Administration Inc., following the completion of their remaining mandate, namely the distribution of the residual settlement funds and any *cy-près* funds.

BACKGROUND

Litigation History:

3. This action was commenced by Statement of Claim issued on March 19, 2010. The Statement of Claim alleges that the defendants participated in an unlawful agreement to mislabel horsepower of lawn mowers and/or to raise, fix, maintain or stabilize the price of lawn mowers in Canada, lessen unduly competition in the production, manufacture, sale and/or supply of lawn mowers and lawn mower engines, and/or to conduct business contrary to the *Competition Act* and the *Consumer Packaging and Labelling Act*.
4. The Action was resolved through a series of settlement agreements with the defendants as follows:
 - a. MTD Products Limited and MTD Products Inc. dated September 29, 2010 for \$300,000;
 - b. Biggs & Stratton (including Kohler, Electrolux, John Deere, Husqvarna and Toro) dated June 26, 2013 for \$4,200,000;

- c. Honda Canada Inc. and American Honda Motor Co. Inc., dated February 25, 2015 for \$700,000;
 - d. Kawasaki Motors Corp., U.S.A., dated June 4, 2018 for \$785,000; and
 - e. Tecumseh Products of Canada, Limited, Tecumseh Products Company and Platinum Equity, LLC dated August 10, 2018 for \$1,550,000.
5. The combined settlements total CAD \$7,535,000, all of which have been approved by Orders of this Court. The final settlement, with the Tecumseh defendants, was approved by this Court by Order dated October 25, 2018.

THE SETTLEMENT ADMINISTRATION

The Distribution Protocol

6. By Order dated October 25, 2018, this Court approved the Distribution Protocol of settlement funds (the "Protocol") and appointed RicePoint Administration Inc. ("RicePoint") as claims administrator. Attached hereto and marked as **Exhibit "A"** to this my affidavit is a copy of the October 25, 2018 Order.
7. The Net Settlement Amount available for distribution was \$4,592,980.98. Pursuant to paragraph 12 of the Protocol, a copy of which is attached hereto as part of the Order at Exhibit "A", 80% or \$3,674,384.78 of the Net Settlement Amount was allocated for the benefit of end users and 20% or \$918,596.20 of the Net Settlement Amount was allocated for upstream purchasers.

The Claims Process

8. The claims period commenced on January 21, 2019. Claimants had four months or until May 22, 2019 to file a claim by mail or electronically through an online claims portal.
9. During the claims period, 52,391 claims were received by the Claims Administrator. Of these claims, 12,002 were either withdrawn or not approved. The vast majority of rejected

claims (11,863) were duplicate claims made by class members who were otherwise approved for their non-duplicate claim. Rejected claims received deficiency notices and claimants had an opportunity to re-file. The Claims Administrator ultimately approved a total of 40,393 claims, of which 40,377 were end users and 16 were upstream purchasers.

10. Initial payments were distributed to approved end user claimants on May 8, 2020 by e-transfer or cheque. E-transfers expired one month after issuance. Cheques had a stale date of November 8, 2020.
11. Initial payments to approved upstream purchaser claimants were sent by cheque on July 22, 2020. The upstream purchaser cheques had a stale date of January 22, 2021.
12. At the end of the initial distribution, there were 2,242 end users who failed to cash their settlement payments. Uncashed payments totaled \$158,902.38. All upstream purchaser payments were cashed by October 27, 2020.

Outreach and Re-issued Payments

13. Class Counsel and RicePoint undertook diligent and extensive outreach efforts to ensure that settlement funds were distributed to approved end user claimants.
14. In early 2021, Class Counsel conducted an outreach to the 2,242 end user claimants who failed to cash their payments. Claimants were invited to request a reissued payment by May 14, 2021.
15. Class Counsel and the Claims Administrator undertook further diligence and outreach regarding the payments that had not been claimed. The Claims Administrator, assisted by Class Counsel, worked hard to ensure that approved claimants were able to access their payments. In the course of that work, Class Counsel and the Claims Administrator were mindful of the cost of administrative expenses associated with locating updated contact information, making multiple mailings and the cost of reprinting cheques.

16. Class Counsel has continued efforts to reissue cheques to class members while working with RicePoint to prepare a plan to distribute residual funds. This work has continued into 2024. The Claims Administrator has re-issued a cheque to a previously approved class member as recently as April of 2024.
17. The outreach and continued effort in reissuing cheques has resulted in 371 payments totaling \$26,341.00 being distributed to class members.
18. After all reasonable efforts to locate approved end user claimants were made, 38,487 payments (by cheque or e-transfer) have been cashed with a total value of \$4,464,422.09. This includes 95.3% of all approved claims for end users and 100% of upstream purchasers.
19. As of today's date, CAD \$207,301.47 of residual settlement funds have not been distributed (the "Residual Funds"). The Residual Funds include funds from uncashed cheques, expired e-transfers, residual interest and a holdback of \$15,000.00 for ongoing administration expenses as described below.

Plan of Distribution of Residual Funds

20. Paragraph 49 of the court-approved Protocol states:

To the extent that the full Net Settlement Amount is not paid out due to uncashed cheques, expired e-transfers, residual interest, or analogous circumstances, such monies shall be paid in equal shares to the Retail Council of Canada and to the Consumers' Council of Canada (collectively the "Consumer Organizations") for the general benefit of Settlement Class Members if the amount is equal to or less than \$10,000. For distribution of any amount above \$10,000, further direction of the Court shall be sought.

21. Class Counsel, in collaboration with RicePoint, has designed a plan of distribution of the Residual Funds for which it seeks approval of this Court. Class Counsel believes the proposed plan strikes a desirable balance between providing a direct benefit to a significant number of deserving class members and ensuring an expedient and cost-effective conclusion to the distribution of Residual Funds.
22. Class Counsel proposes a distribution of the remaining funds to the 1,406 end user claimants who were approved for a payment of \$250 or more, and who received and cashed their payments in the previous distribution. The 1,406 end users will receive a prorated amount of the Residual Funds based on the value of their originally approved claim. These recipients have a successful and verified history within the claims process. And based on their claims submissions, they also have a greater economic connection to the subject matter of the case. In short, these are claimants who made more significant purchases of the lawnmower products at issue in the case.
23. Class Counsel looked at, analyzed and costed out multiple distribution scenarios. Class Counsel sought RicePoint's input on how to best structure the proposed distribution, given RicePoint's expertise and experience in administering settlements of all sizes.
24. RicePoint advised Class Counsel that the proposed option, claimants who cashed cheques for \$250 and above, was advisable as it yielded a manageable group for the distribution which would permit it to be done in an efficient and cost-effective manner.
25. Class Counsel believes the proposed plan strikes a desirable balance between providing a direct benefit to a significant number of class members while also ensuring an expedient and cost-efficient conclusion to the distribution of residual funds.

Costs of the Distribution

26. RicePoint has requested a reserve of \$15,000.00 for the administration costs associated with the redistribution of the Residual Funds.
27. The plaintiffs seek court-approval to pay the Claims Administrator's cost from the Residual Funds as a necessary and reasonable cost of the administration of the settlements.

Cy-près Distribution

28. Class Counsel also seeks an Order that any settlement funds that remain after the proposed distribution be distributed *cy-près* to the Retail Council of Canada and to the Consumers' Council of Canada.
29. As set out above, the previously approved Protocol contemplated that any residual of \$10,000 or less would be paid in equal shares to the Retail Council of Canada or to the Consumers' Council of Canada. On this motion, Class Counsel is asking for an order that all remaining funds, if any, following the distribution be paid in equal shares to the previously approved *cy-près* recipients.
30. RicePoint has advised that it estimates the costs associated with distributing the Residual Funds to be approximately \$15,000.00. Given the estimated costs of the distribution, a further additional distribution would likely be prohibitively expensive.
31. Class Counsel anticipates that any remaining funds after this distribution will be too small to feasibly provide a direct benefit to class members. The fees that would be incurred would likely result in most of the residual being allocated to administrative costs, rather than providing a benefit to class members. Allowing any remaining funds to be distributed by *cy-près* allows the claims administration to come to an expedient close after this proposed distribution of Residual Funds.

DISCHARGING RICEPOINT AS THE CLAIMS ADMINISTRATOR

32. RicePoint has assisted with this action since being appointed by the Court as the Claims Administrator in 2018. RicePoint completed the review, adjudication and ultimate payment of approved claims in this action. They have worked alongside Class Counsel to answer claimants' questions, concerns and help complete claim forms when required, sworn affidavits, and provided fund reconciliations.
33. Aside from the distribution and any final *cy-près* payments, RicePoint has confirmed that all required services under its mandate have been fulfilled. Upon completion of their mandate, they are seeking to be discharged as Claims Administrator.
34. The discharge of the Claims Administrator does not include a release of any claims as against the Claims Administrator.
35. Class Counsel agrees that beyond the final distribution of the Residual Funds and payment, if any, to the proposed *cy-près* recipients, RicePoint has completed its mandate and it is appropriate to discharge RicePoint as Claims Administrator upon completion of their mandate.

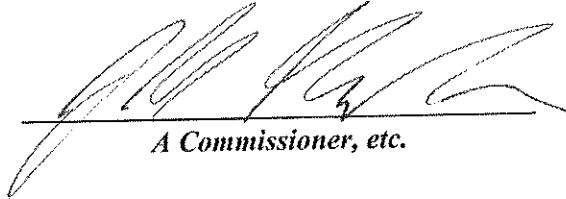
SWORN BEFORE ME by video
conference, at the City of London, in the
County of Middlesex, in the Province of
Ontario, this 22nd day of July, 2024.


Commissioner for Taking Affidavits

)
)
)
)
)


SARAH BOWDEN

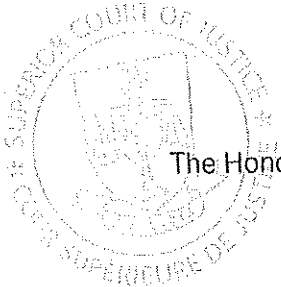
**This is EXHIBIT "A" referred to in the
Affidavit of SARAH BOWDEN
sworn before me, this 22nd day of July, 2024.**



A Commissioner, etc.

Court File No.: 766-2010 CP

**ONTARIO
SUPERIOR COURT OF JUSTICE**



The Honourable Justice Leitch

)
)
)

THURSDAY, the 25th day
of OCTOBER, 2018

BETWEEN:

ROBERT FOSTER and MURRAY DAVENPORT

Plaintiffs

-and-

SEARS CANADA INC.; SEARS HOLDINGS CORPORATION; JOHN DEERE CANADA ULC;
DEERE & COMPANY; TECUMSEH PRODUCTS OF CANADA, LIMITED; TECUMSEH
PRODUCTS COMPANY; PLATINUM EQUITY, LLC; BRIGGS & STRATTON CANADA INC.;
BRIGGS & STRATTON CORPORATION; ~~CANADIAN KAWASAKI MOTORS INC.~~; KAWASAKI
MOTORS CORP., USA; MTD PRODUCTS LIMITED; MTD PRODUCTS INC; THE TORO
COMPANY (CANADA), INC.; THE TORO COMPANY; HONDA CANADA INC.; AMERICAN
HONDA MOTOR CO., INC.; ELECTROLUX CANADA CORP.; ELECTROLUX HOME
PRODUCTS, INC.; HUSQVARNA CANADA CORP.; HUSQVARNA CONSUMER OUTDOOR
PRODUCTS N.A., INC.; KOHLER CANADA CO.; KOHLER CO.

Defendants

PROCEEDING UNDER THE *CLASS PROCEEDINGS ACT*, 1992, S.O. 1992, c. 6

ORDER

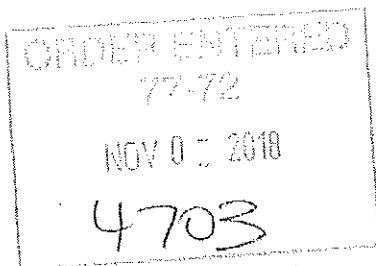
(Settlement Administration Approval)

THIS MOTION, made by the plaintiffs for an order approving matters relating to settlement administration was heard this day at the Court House, 80 Dundas Street, London, Ontario.

ON READING the materials filed and on hearing the submissions of counsel for the plaintiffs:

1. THIS COURT ORDERS that the Distribution Protocol is hereby approved substantially in the form attached hereto as **Schedule "A"**.
2. THIS COURT ORDERS that RicePoint Administration Inc. is hereby approved as the Claims Administrator.
3. THIS COURT ORDERS that the fee proposal of RicePoint Administration Inc. is hereby approved.
4. THIS COURT ORDERS AND DECLARES that, except to the extent they are modified by this Order, the definitions set out in the Settlement Agreements apply to and are incorporated into this Order.
5. THIS COURT ORDERS that the Notices are hereby approved substantially in the form as attached hereto as **Schedules "B" through "H"**.
6. THIS COURT ORDERS that the Plan of Dissemination is approved substantially in the form attached hereto as **Schedule "I"**.
7. THIS COURT ORDERS that the costs of disseminating the Notices and administering the claims process is to be paid from the Settlement Fund.
8. THIS COURT ORDERS that Class Counsel is permitted to be reimbursed from the Settlement Fund for reasonable settlement administration related disbursements, up to a maximum of \$5,000. If greater settlement administration related disbursements are incurred, Class Counsel shall be permitted to bring a motion for approval of their additional settlement administration related disbursements.

Date: Oct 25/18




The Honourable Justice Leitch

SCHEDULE "A"

DISTRIBUTION PROTOCOL

IN THE MATTER OF THE LAWN MOWER CLASS ACTION SETTLEMENTS

INDEX

- I. GENERAL PRINCIPLES OF THE ADMINISTRATION
- II. DEFINITIONS
- III. THE CLAIMS ADMINISTRATOR'S DUTIES AND RESPONSIBILITIES
- IV. SETTLEMENT BENEFITS AVAILABLE TO SETTLEMENT CLASS MEMBERS
- V. THE CLAIMS PROCESS
 - a. The Claim
 - b. The Online Claim Portal
 - c. The Claims Filing Process
 - d. Audits
 - e. Deficiencies
 - f. Claims Administrator's Decision
- VI. THE CLAIMS DISTRIBUTION PROCESS
- VII. CONFIDENTIALITY

- 2 -

I. GENERAL PRINCIPLES OF THE ADMINISTRATION

1. The procedures set forth herein are intended to govern the administration of the settlement agreements entered into with the following Defendants:
 - a. MTD Products Limited and MTD Products Inc., dated September 29, 2010;
 - b. Briggs & Stratton Canada Inc., Briggs & Stratton Corporation, Electrolux Canada Corp., Electrolux Home Products, Inc., John Deere Canada ULC, Deere & Company, Husqvarna Canada Corp., Husqvarna Consumer Outdoor Products N.A., Inc., Kohler Canada Co., Kohler Co., The Toro Company (Canada), Inc., and The Toro Company, dated June 26, 2013;
 - c. Honda Canada Inc. and American Honda Motor Co., Inc., dated February 25, 2015;
 - d. Kawasaki Motors Corp., U.S.A., dated June 4, 2018; and
 - e. Tecumseh Products of Canada, Limited, Tecumseh Products Company, and Platinum Equity, LLC, dated August 10, 2018 (collectively, the "Settlement Agreements").
2. The definitions in the Settlement Agreements apply to and are incorporated herein. Where a term is defined in both the Settlement Agreements and in the Distribution Protocol, the definition in the Distribution Protocol shall govern.
3. The administration shall:
 - a. implement and conform to the Settlement Agreements, orders of the Courts, and this Distribution Protocol;
 - b. include the establishment and maintenance of the Settlement Website;

- 3 -

- c. employ secure, paperless, web-based systems with electronic registration and record keeping wherever possible; and
 - d. be bilingual in all respects.
- 4. Any released party, specifically including Excluded Persons and Releasees, shall be ineligible to receive settlement benefits under this Distribution Protocol.
- 5. Settlement Class Members seeking compensation must disclose and give credit for any compensation received through other proceedings or private out-of-class settlements in relation to their Lawn Mower Purchases, unless by such proceedings or private out-of-class settlements, the Settlement Class Member's claim was released in its entirety, in which case the Settlement Class Member shall be deemed ineligible for any further compensation.
- 6. The Claims Administrator, in concert with Class Counsel, shall have the discretion to interpret this Distribution Protocol in such a fashion as to ensure the facilitation of the goals of the Settlement Agreements for the benefit of Settlement Class Members.

II. DEFINITIONS

- 7. For the purpose of this Distribution Protocol:
 - a. **Claim** means the paper or electronic form that a Settlement Class Member must complete and submit before the Claims Filing Deadline in order to be considered for settlement benefits under this Distribution Protocol.
 - b. **Claims Filing Deadline** means May 22, 2019, being the date by which Claims (and any required supporting documentation) must be postmarked or electronically submitted in order for Settlement Class Members to be considered for settlement benefits under this Distribution Protocol.

- c. **Claims Period** means the time period during which Settlement Class Members may make a claim, being from January 21, 2019 to May 22, 2019.
- d. **Court(s)** means the Ontario Superior Court of Justice and the Superior Court of Québec which shall have ongoing authority and supervision with respect to the Distribution Protocol.
- e. **End Users** means Settlement Class Members who purchased Lawn Mowers for their own actual use, including consumers and businesses such as landscapers, golf courses, municipalities, universities, etc.
- f. **Fonds Levy** means the amounts payable to the Fonds d'aide aux actions collectives pursuant to section 42 of the *Act respecting the Fonds d'aide aux action collectives*, CQLR, c. F-3.2.0.1.1 and calculated in accordance with the governing regulations.
- g. **Lawn Mower Purchases** means the purchase of finished Lawn Mower(s) designed, manufactured, and labelled by the Defendants which includes a gas-combustible engine of 30 horsepower or less between January 1, 1994 and December 31, 2012 in Canada.
- h. **Net Settlement Amount** means the aggregate of the Settlement Amounts recovered pursuant to the Settlement Agreements and accrued interest after the payment of court-approved Class Counsel Fees and after deduction of the Administration Expenses and all taxes (including interest and penalties) accruable with respect to the income earned by the Settlement Agreements.
- i. **Online Claim Portal** means a web-based portal created and maintained by the Claims Administrator in accordance with this Distribution Protocol.

- 5 -

- j. **Settlement Agreements** has the meaning attributed to it in paragraph 1.
- k. **Settlement Class Members** means all eligible purchasers of Lawn Mowers, including both End Users and Upstream Purchasers, but excluding Releasees and Excluded Persons.
- l. **Settlement Website** means the website maintained by or on behalf of the Claims Administrator for the purposes of providing Settlement Class Members with information on the Settlement Agreements, the Distribution Protocol, the claims process, and access to the Online Claim Portal.
- m. **Upstream Purchasers** means Settlement Class Members who purchased Lawn Mowers for resale purposes and not for actual use, including but not limited to retailers and distributors.

III. THE CLAIMS ADMINISTRATOR'S DUTIES AND RESPONSIBILITIES

- 8. The Claims Administrator shall administer the Settlement Agreements and this Distribution Protocol under the ongoing authority and supervision of the Court.
- 9. The Net Settlement Amount shall be held in an interest-bearing trust account at a Canadian Schedule I bank in Canada.
- 10. The Claims Administrator's duties and responsibilities shall include the following:
 - a. providing notices to the Settlement Class Members as required pursuant to this Distribution Protocol and/or by Order of the Courts;
 - b. developing, implementing, and operating electronic web-based systems and procedures for receiving and adjudicating Claims. The Claims Administrator shall

- 6 -

encourage Settlement Class Members to claim via the Online Claim Portal where possible and shall facilitate this process;

- c. developing and implementing processes to detect possible fraudulent conduct, including monitoring claims for unusual activity and multiple claims being filed from the same address and using the same serial number;
- d. making timely decisions in respect of Claims and notifying the Settlement Class Members of the decision promptly thereafter;
- e. arranging payment to Settlement Class Members in a timely fashion after the Claims Filing Deadline;
- f. dedicating sufficient personnel to respond to Settlement Class Members' inquiries in English or French, as the Settlement Class Member elects;
- g. remitting the Fonds Levy to the Fonds d'aide aux actions collectives;
- h. arranging payments of Administration Expenses;
- i. maintaining, in an easy to understand format, the information being recorded pursuant to paragraphs 34 and 37 as well as information about Settlement Class Members' Lawn Mower Purchases and proposed distribution, so as to permit Class Counsel to audit the administration at the discretion of Class Counsel or if so ordered by the Court;
- j. reporting to Class Counsel respecting Claims received and administered, and Administration Expenses;
- k. cash management and audit control;
- l. preparing and submitting such financial statements, reports, and records as directed by Class Counsel and/or the Court; and

- 7 -

- m. fulfilling any tax reporting and arranging payments required arising from the Net Settlement Amount, including any obligation to report taxable income and make tax payments. All taxes (including interest and penalties) due with respect to the income earned by the Net Settlement Amount shall be paid from the Net Settlement Amount.

IV. SETTLEMENT BENEFITS AVAILABLE TO SETTLEMENT CLASS MEMBERS

- 11. The Net Settlement Amount will be available to provide settlement benefits to eligible Settlement Class Members pursuant to this Distribution Protocol.
- 12. The Net Settlement Amount is to be allocated as follows:
 - a. 80% to End Users; and
 - b. 20% to Upstream Purchasers.

End Users

- 13. End Users shall prove their Lawn Mower Purchases by providing a declaration containing their name, date of birth and current address as well as particulars with respect to their Lawn Mower Purchases including Lawn Mower make/brand, engine make, year of purchase, address at the time the Lawn Mower was purchased, and retailer where the Lawn Mower was purchased as well as the End User's best information regarding the purchase date, the price paid, the model number and the serial number.

End Users Providing a Declaration without Further Proof:

- 14. Eligible End Users who provide a declaration without further proof of purchase or proof of horsepower will receive \$15 *per claimant* subject to the terms of paragraphs 21 and 22.

End Users Providing Proof:

15. Eligible End Users who provide valid *proof of purchase*, without proof of horsepower, will receive a minimum of \$15 *per qualifying Lawn Mower*, subject to the terms as set out in paragraphs 21 and 22.
16. Proof of purchase for the purposes of paragraph 15 may include but is not limited to:
 - a. receipts;
 - b. invoices;
 - c. purchase records;
 - d. manuals;
 - e. warranty documents;
 - f. product registration documents;
 - g. rebate documents;
 - h. repair invoices;
 - i. geotagged photographs; or
 - j. comparable verification that is acceptable to the Claims Administrator.
17. If an Eligible End User is able to provide *proof of the horsepower* rating of their Lawn Mower Purchases, they will be provided compensation for their Lawn Mower Purchases as follows, subject to the terms as set out in paragraphs 21 and 22:
 - a. walk-behind Lawn Mowers with engines under 5 horsepower – \$20;
 - b. walk-behind Lawn Mowers with engines 5 horsepower or more – \$35;
 - c. riding Lawn Mowers with engines under 18 horsepower – \$45; and

d. riding Lawn Mowers with engines 18 horsepower or more – \$55.

18. Proof of horsepower rating for the purposes of paragraph 17 may include but is not limited

to:

- a. receipts;
- b. invoices;
- c. purchase records;
- d. manuals;
- e. warranty documents;
- f. product registration documents;
- g. rebate documents;
- h. repair invoices;
- i. geotagged photographs; or
- j. comparable verification that is acceptable to the Claims Administrator.

19. The Claims Administrator shall adjudicate proof of purchase and proof of horsepower rating by End Users with a view to facilitating credible, valid claims while reasonably detecting and deterring any non-meritorious claims.

20. Should an End User's purchase(s) of Lawn Mowers reflect an exceptional consideration such that the Claims Administrator may conclude that the categories set out in paragraphs 14, 15, and 17 do not adequately capture the circumstances of their Lawn Mower purchase(s), the End User shall be permitted to submit proof to support their position and explain their Lawn Mower purchases. The Claims Administrator shall have the necessary discretion to evaluate and adjudicate compensation with respect to such potential claims.

21. If the Net Settlement Amount is insufficient to pay eligible End Users in the amounts specified in paragraphs 14, 15, and 17, the settlement benefits payable to eligible End Users shall be reduced pro-rata (i.e. proportionally) based on the value of each Settlement Class Member's Claim as a proportion of the value of all valid Claims. However, claims which are supported by proof of purchase or proof of horsepower as outlined in paragraphs 15 and 17 may be given priority in respect of proration and payment amount depending on claims volumes and claims experience.
22. If there are surplus funds remaining from the Net Settlement Amount after all eligible End Users have been assigned the amounts specified in paragraphs 14, 15, and 17, the settlement benefits payable to eligible End Users shall be increased pro-rata (i.e. proportionally) based on the value of each End User's Claim as a proportion of the value of all valid Claims. However, claims which are supported by proof of purchase or proof of horsepower as outlined in paragraphs 15 and 17 may be given priority in respect of proration and payment amount depending on claims volumes and claims experience.
23. Notwithstanding any other provision in this Distribution Protocol, subject to further order of the Court following the adjudication of all claims, no eligible End User will be paid less than \$10. The \$10 valuation target is not an estimate of any damages suffered. It is a minimum administrative threshold designed to maintain a feasible economic and administrative platform for the settlement distribution. If, for any reason, the \$10 minimum payment cannot be feasibly made due to proration or other factors, Class Counsel will seek direction from the Court.
24. Notwithstanding any other provision in this Distribution Protocol, if the distribution would result in eligible End Users receiving an amount that is beyond any reasonable estimate of expected damages or would otherwise result in an unjust distribution, Class Counsel

will seek further directions from the Court with respect to the distribution of the Net Settlement Amount.

Upstream Purchasers

25. Upstream Purchasers shall prove their Lawn Mower Purchases in the following manner:
- a. With reference to documentation in connection with their purchases of Lawn Mowers:
 - i. invoices;
 - ii. receipts;
 - iii. purchase records;
 - iv. historical accounting records; or
 - v. comparable verification that is acceptable to the Claims Administrator.
 - b. By alternative proof, including a declaration together with documentation that evidences their purchases of Lawn Mowers:
 - i. delivery or packing slips;
 - ii. credit card statements;
 - iii. bank statements;
 - iv. cancelled cheques;
 - v. wire transfer confirmations;
 - vi. proof of product registration;
 - vii. rebate documents;
 - viii. warranty documents;

- 12 -

- ix. serial numbers;
 - x. repair invoices; or
 - xi. comparable verification that is acceptable to the Claims Administrator.
26. The Claims Administrator shall adjudicate the documentation provided pursuant to paragraph 25 by Upstream Purchasers with a view to facilitating credible, valid Claims while reasonably detecting and deterring any non-meritorious Claims.
27. Eligible Upstream Purchasers' compensation shall be calculated by weighting Lawn Mower Purchases according to the horsepower contained in each Lawn Mower's engine. A point value shall be assigned to each Lawn Mower Purchase as follows:
- a. walk-behind Lawn Mowers with engines under 5 horsepower – 4 points;
 - b. walk-behind Lawn Mowers with engines 5 horsepower or more – 7 points;
 - c. riding Lawn Mowers with engines under 18 horsepower – 9 points; and
 - d. riding Lawn Mowers with engines 18 horsepower or more – 11 points.
28. Should an eligible Upstream Purchaser be unable to provide information regarding horsepower contained within a qualifying Lawn Mower Purchase, a value of 3 points shall be assigned to each qualifying Lawn Mower.
29. Should an Upstream Purchaser's purchases of Lawn Mowers not fit within one of the categories set out in paragraphs 27 and 28, the Upstream Purchaser shall be permitted to explain their Lawn Mower purchases and the Claims Administrator shall have the necessary discretion to evaluate and adjudicate compensation with respect to such potential Claims.

- 13 -

30. Upstream Purchasers will be paid proportionally according to the number and type of Lawn Mowers purchased. Each Upstream Purchaser's actual compensation shall be the portion of the Net Settlement Amount allocated to Upstream Purchasers equivalent to the ratio of his, her, or its points to the total points value of all Upstream Purchasers multiplied by the value of the Net Settlement Amount allocated to Upstream Purchasers.
31. The following hypothetical situation is an illustration of how a proportional distribution will be implemented:
- If the Net Settlement Amount is valued at \$1,000,000 and 20% will be allocated to Upstream Purchasers, then a total of \$200,000 will be shared among Upstream Purchasers;
 - Assume that the cumulative total point value of all Upstream Purchasers' claims is 50,000 points;
 - Upstream Purchaser A claimed lawn mower purchases worth 400 points – 400 points is .8% of the total points, therefore Upstream Purchaser A is entitled to .8% of the \$200,000 which is \$1,600;
 - Upstream Purchaser B claimed lawn mower purchases worth 2,000 points – 2,000 points is 4% of the total points, therefore Upstream Purchaser B is entitled to 4% of the \$200,000 which is \$8,000.
32. This hypothetical example is for illustration purposes only and should not be used to predict any actual recovery by any Upstream Purchaser making a Claim. Actual recoveries will depend on the total of the Net Settlement Amount and the number of Claims made by Upstream Purchasers and will not be calculated until all claims have been verified after the close of the Claims Period.

33. Notwithstanding any other provision in this Distribution Protocol, if the distribution would result in eligible Upstream Purchasers receiving an amount that is beyond any reasonable estimate of expected damages or would otherwise result in an unjust distribution, Class Counsel will seek further directions from the Court with respect to the distribution of the Net Settlement Amount.

V. THE CLAIMS PROCESS

a. The Claim

34. In addition to any basic proof of purchase required by the claims form, Settlement Class Members shall also provide the following:
- a. disclosure of whether the Settlement Class Member or any entity related to the Settlement Class Member has received compensation through other proceedings or private out-of-class settlements and/or provided a release in respect of any of the Settlement Class Member's Lawn Mower Purchases, and provide details of the compensation received and the claims released;
 - b. authorization to the Claims Administrator to contact the Settlement Class Member or its representative as the Claims Administrator deems appropriate for more information and/or to audit the Claim;
 - c. a declaration that the information submitted in the Claim is true and correct; and
 - d. such further and other information as the Claims Administrator may require to process Claims.

b. The Online Claim Portal

35. The Claims Administrator shall create an Online Claim Portal that Settlement Class Members can access in order to file a Claim and shall provide the necessary administrative support to enable Settlement Class Members to do so.
36. The Online Claim Portal shall be accessible from the Settlement Website.
37. The Online Claim Portal shall contain fields that facilitate the Settlement Class Member to provide all applicable information required as part of the Claim.
38. The Claims Administrator shall develop procedures for tracking and recording in an electronic format the following information, as it is entered into the Online Claim Portal or provided by Settlement Class Members who file hardcopy Claims in accordance with paragraph 40 below:
 - a. names, addresses, and purchase data of the Settlement Class Members;
 - b. names, addresses, purchase data, and supporting documents provided by Settlement Class Members as part of the claims and/or audit process; and
 - c. any other information that might be useful in the claims administration process.

c. The Claims Filing Process

39. Settlement Class Members will be encouraged to complete and submit a Claim (together with the required supporting documents) electronically using the Online Claim Portal. Claims are to be submitted on the Online Claim Portal on or before the Claims Filing Deadline, namely, by May 22, 2019.
40. If a Settlement Class Member does not have internet access or is otherwise unable to submit a Claim using the Online Claim Portal, the Settlement Class Member can register by telephone with the Claims Administrator and the Claims Administrator shall send the

- 16 -

Settlement Class Member a hardcopy claim form by mail. The completed and executed hardcopy Claim (together with any required supporting proof of purchase) are to be submitted to the Claims Administrator postmarked no later than the Claims Filing Deadline.

d. Audits

41. At its sole discretion, the Claims Administrator can elect to audit any Claim and can reject a Claim, in whole or in part, where, in the Claims Administrator's view, the Settlement Class Member has submitted insufficient or false information or has otherwise engaged in fraudulent conduct.
42. If a Settlement Class Member's claim is audited, the Settlement Class Member must respond reasonably to the questions asked by the Claims Administrator and provide reasonable responses to any information requests made within the timeframe requested by the Claims Administrator.
43. The Claims Administrator shall notify the Settlement Class Member that the Settlement Class Member's Claim is the subject of an audit. The Claims Administrator shall state any questions or requests for documentary proof as may be required. The Claims Administrator shall allow a Settlement Class Member thirty (30) days from the date of such notice in order to provide a satisfactory response to the audit request. If the Settlement Class Member does not answer the questions posed or provide reasonable responses to the documents and information requested the Claims Administrator shall reject the Claim subject to the deficiency process outlined in paragraph 44.

e. Deficiencies

44. If, during claims processing, the Claims Administrator finds that deficiencies exist in a Claim or other required information, the Claims Administrator shall notify the Settlement

- 17 -

Class Member, by e-mail or regular mail, of the deficiencies. The Claims Administrator shall allow the Settlement Class Member thirty (30) days from the date of such notice to correct the deficiencies. If the deficiencies are not corrected within the thirty (30) day period, the Claims Administrator shall either reject the Claim or deem the Claim eligible for only the minimum payment amount as applicable without prejudice to the right of the Settlement Class Member to cure the deficiencies, provided the Settlement Class Member is able to meet the Claims Filing Deadline and other requirements set forth herein. The Online Claim Portal shall be designed so as to minimize the possibility of deficient claims.

f. Claims Administrator's Decision

45. In respect of each Settlement Class Member who has filed a Claim in accordance with this Distribution Protocol, the Claims Administrator shall:
- a. decide whether the Settlement Class Member is eligible to receive settlement benefits payable out of the Net Settlement Amount in accordance with the Settlement Agreements, orders of the Court, and this Distribution Protocol;
 - b. verify the Settlement Class Member's Lawn Mower Purchases and horsepower rating; and
 - c. make a determination of the value of the Settlement Class Member's Claim in accordance with the Settlement Agreements, orders of the Court, and this Distribution Protocol.
46. The Claims Administrator shall send to the Settlement Class Member, by e-mail or regular mail, a decision as to the approval or rejection of the Claim. Where the Claims Administrator has rejected all or part of the Claim of the Settlement Class Member, the Claims Administrator shall include its grounds for rejecting all or part of the Claim.

- 18 -

47. The Claims Administrator's decision shall be final and binding upon the Settlement Class Member.

VI. THE CLAIMS DISTRIBUTION PROCESS

48. As soon as practicable after the claims evaluations, the Claims Administrator shall make arrangements to pay approved Claims as expeditiously as possible. Payments of settlement benefits to Settlement Class Members will be made by e-transfer, cheque, or any other method deemed appropriate by the Claims Administrator.
49. To the extent that the full Net Settlement Amount is not paid out due to uncashed cheques, expired e-transfers, residual interest, or analogous circumstances, such monies shall be paid in equal shares to the Retail Council of Canada and to the Consumers' Council of Canada (collectively the "Consumer Organizations") for the general benefit of Settlement Class Members if the amount is equal to or less than \$10,000. For distribution of any amount above \$10,000, further direction of the Court shall be sought.
50. The payment to the Consumer Organizations shall be less any amounts payable to the Fonds d'aide aux actions collectives, pursuant to section 42 of the *Act respecting the Fonds d'aide aux actions collectives*, CQLR c. F-3.2.0.1.1 and calculated in accordance with Article 1.(1°) of the *Regulation respecting the percentage withheld by the Fonds d'aide aux actions collectives*, R.S.Q. c. F-3.2.0.1.1, r. 2 (the "Fund Levy"). For the purposes of calculating the Fund Levy payable to the Fonds d'aide aux actions collectives, 22.9%¹ of the payment to the Consumer Organizations will be notionally allocated to Québec.

¹ 22.9% represents that portion of the Canadian population that resides in Québec based on information from Statistics Canada's website.

VII. CONFIDENTIALITY

51. All information received from the Settlement Class Members is collected, used, and retained by the Claims Administrator pursuant to the *Personal Information Protection and Electronic Documents Act*, S.C. 2000, c. 5 and may be used by the Claims Administrator for the sole purpose of administering the Settlement Agreements, including evaluating a Settlement Class Member's eligibility status under the Settlement Agreements and this Distribution Protocol. The information provided by Settlement Class Members is strictly private and confidential. Any identifying information about Settlement Class Members will be kept confidential and redacted from any materials filed with the Court as part of the settlement administration process, unless otherwise directed by the Court. Within a year of settlement benefits being paid to Settlement Class Members pursuant to this Distribution Protocol, the Claims Administrator will return or destroy the information received from Defendants or Settlement Class Members. Prior to being appointed as Claims Administrator, the Claims Administrator will execute an undertaking to abide by the obligations set out in this paragraph.

LEGAL NOTICE AUTHORIZED BY THE ONTARIO SUPERIOR COURT OF JUSTICE AND THE SUPERIOR COURT OF QUÉBEC

**If you purchased a lawn mower in Canada between January 1, 1994 and
December 31, 2012, you may now make a claim for money**

LAWN MOWERS CLASS ACTION LAWSUIT

In 2010, class action lawsuits were initiated in Ontario by Harrison Pensa ^{LLP} and in Québec by Consumer Law Group Inc. on behalf of all Canadians who purchased Lawn Mowers between January 1, 1994 and December 31, 2012 (the "Class Actions").

A "Lawn Mower" means a lawn mower designed, manufactured, or labelled by any of the Defendants for ultimate sale, including retail sale, in Canada, containing a gas-combustible engine labelled at 30 horsepower or less.

The Class Actions allege that the Defendants agreed to manipulate horsepower labelling on certain Lawn Mowers during the class period. The defendants deny the allegations and no manipulation of horsepower labelling has been proven in court.

THE SETTLEMENTS

Settlements have been reached with all defendants in this case totalling \$7,535,000 (collectively, the "Settlements"). The Settlements have been approved by the courts in Ontario and Québec.

Pursuant to previous Orders of the courts, the deadline for class members to opt out of the lawn mowers class action was September 17, 2013. If you did not previously opt out, you are eligible to make a claim and are legally bound by the results of the Class Actions.

The settlement funds, less court-approved fees, disbursements, notice costs, and applicable taxes (the "Net Settlement Amount"), are being held in an interest-bearing trust account for the benefit of all class members.

HOW DO I MAKE A CLAIM FOR SETTLEMENT FUNDS?

All class members who wish to make a claim for compensation under the Settlements must submit a claim no later than May 22, 2019. Claims that are not made by the deadline will not be eligible for compensation.

Class members are asked to provide the best information they have regarding their Lawn Mower purchase(s). The Claims Administration rules provide for flexible evaluation of acceptable documentation. Even a declaration without further proof may qualify for cash compensation. Compensation under the Distribution Protocol increases with proof of purchase or proof of the horsepower rating of the Lawn Mower.

Claims must be submitted online through the claims portal at www.lawnmowersettlement.ca. If you are unable to make an online claim, a paper claim form can be requested.

THE DISTRIBUTION PROTOCOL

See www.lawnmowersettlement.ca to review the Distribution Protocol.

Upstream Purchasers (retailers, wholesalers, etc. who purchased Lawn Mowers for resale) are entitled to claim a share of the settlement recoveries. 20% of the Net Settlement Amount has been allocated to an Upstream Purchasers' Fund. Proportionate payments to eligible claimants will be made from the Upstream Purchaser Fund based on their eligible Lawn Mower purchase(s) and their corresponding horsepower ratings. For a full explanation of the calculation for Upstream Purchasers, see the Distribution Protocol.

End Users (individuals or businesses who purchased Lawn Mowers for their own use) will fall into one of the following categories based on the information they provide:

1. End Users Providing a Declaration without Further Proof – Those who provide a declaration of the basic required information regarding their Lawn Mower purchase(s) without any documentary proof will be entitled to \$15 *per claimant*.

2. End Users Providing Proof – Those who provide proof of purchase or proof of the horsepower rating regarding their Lawn Mower(s) will receive the following, *per Lawn Mower*:

- \$15 – Any Lawn Mower with proof of purchase but without proof of horsepower rating
- \$20 – Any walk-behind Lawn Mower with proof of horsepower rating of under 5 horsepower
- \$35 – Any walk-behind Lawn Mower with proof of horsepower rating of 5 horsepower or more
- \$45 – Any riding Lawn Mower with proof of horsepower rating of under 18 horsepower
- \$55 – Any riding Lawn Mower with proof of horsepower rating of 18 horsepower or more

The amounts set out above are subject to potential proration, up or down, depending on claims rates. Under the Distribution Protocol, the Claims Administrator also has the discretion to evaluate proof for claims that reflect an exceptional circumstance.

MORE QUESTIONS

If you have any questions about the Class Actions or the claims process, visit www.lawnmowersettlement.ca or contact the Claims Administrator or Class Counsel:

Lawn Mower Class Action
c/o RicePoint Administration Inc.
P.O. Box 3355
London, ON N6A 4K3
Tel: 1.866.432.5534
E-mail: lawnmower@ricepoint.com

Harrison Pensa ^{LLP}
Attention: Jonathan J. Foreman
450 Talbot Street
London, ON N6A 5J6
Tel: 1.800.263.0489 ext. 0
Fax: 1.519.667.3362
E-mail: lawnmowersettlement@harrisonpensa.com

Consumer Law Group Inc.
Attention: Jeff Orenstein
1030 rue Berri, Suite 102
Montreal, QC H2L 4C3
Tel: 1.514.266.7863 ext. 2
Fax: 1.514.868.9690
E-mail: info@clg.org

LEGAL NOTICE AUTHORIZED BY THE ONTARIO SUPERIOR COURT OF JUSTICE AND THE SUPERIOR COURT OF QUÉBEC

NOTICE OF CLAIMS PERIOD IN THE LAWN MOWER HORSEPOWER LABELLING CLASS ACTIONS

TO: All persons in Canada who purchased certain major brand-name walk-behind or riding lawn mowers manufactured by the defendants or containing a gas combustible engine manufactured by the defendants labelled at 30 horsepower or less between January 1, 1994 and December 31, 2012.

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

I. WHAT IS A CLASS ACTION?

A class action is a lawsuit filed by one person on behalf of a large group of people affected by the same issue.

II. WHAT ARE THESE CLASS ACTIONS ABOUT?

In 2010, class actions were initiated in Ontario by Harrison Pensa^{LLP} and in Québec by Consumer Law Group Inc. (collectively, "Class Counsel") against various lawn mower and lawn mower engine manufacturers (the "Class Actions"). The Class Actions claim that the companies who manufactured the engines and the lawn mowers containing them mislabelled the products in certain circumstances to show a higher horsepower than what was actually contained in the lawn mower.

III. WHO ARE THE DEFENDANT LAWN MOWER AND LAWN MOWER ENGINE MANUFACTURERS?

The defendants are the following companies:

- "Briggs & Stratton" – Briggs & Stratton Canada Inc. and Briggs & Stratton Corporation
- "Electrolux" – Electrolux Canada Corp. and Electrolux Home Products, Inc.
- "Honda" – Honda Canada Inc. and American Honda Motor Co., Inc.
- "Husqvarna" – Husqvarna Canada Corp. and Husqvarna Consumer Outdoor Products N.A., Inc.
- "John Deere" – John Deere Canada ULC and Deere & Company
- "Kawasaki" – Kawasaki Motors Corp., U.S.A.
- "Kohler" – Kohler Canada Co. and Kohler Co.
- "MTD" – MTD Products Limited and MTD Products Inc.
- "Tecumseh" – Tecumseh Products of Canada, Limited, Tecumseh Products Company, and Platinum Equity, LLC
- "Toro" – The Toro Company (Canada), Inc. and The Toro Company

QUESTIONS? IN QUÉBEC, CALL 514-266-7863 EXT. 2. ANYWHERE ELSE IN CANADA,
CALL 1-800-263-0489, EXT. • (TOLL FREE) OR VISIT WWW.LAWNMOWERSETTLEMENT.CA

IV. HOW DO I KNOW IF I AM A CLASS MEMBER?

You are automatically a class member if you have not previously opted out and you:

- purchased a gas-powered walk-behind or riding lawn mower labelled at 30 horsepower or less that was manufactured by one of the defendants and contains an engine manufactured by one of the defendants;
- purchased it between January 1, 1994 and December 31, 2012; AND
- purchased it in Canada.

A non-exhaustive list of eligible lawn mower brands can be found at Schedule "A" to this notice.

V. WHAT IS A SETTLEMENT AND WHAT SETTLEMENTS HAVE BEEN REACHED IN THESE CLASS ACTIONS?

A settlement is when a defendant agrees to pay money to the class members in exchange for being released from the case.

In the Class Actions, several settlements were reached at various times during the case totalling \$7,535,000 (the "Settlement Amount") which have all been approved by the courts. The settlements are not an admission of liability, fault, or wrongdoing by the defendants, but are a compromise of disputed claims.

The settlements reached in the Class Actions are outlined below:

SETTLING DEFENDANTS	DATE OF SETTLEMENT AGREEMENT	DATE OF ONTARIO COURT APPROVAL	DATE OF QUÉBEC COURT APPROVAL	AMOUNT
MTD	September 29, 2010	September 20, 2013	September 23, 2013	\$300,000 + extensive cooperation to the plaintiffs
Briggs & Stratton, Electrolux, John Deere, Husqvarna, Kohler, and Toro	June 26, 2013	September 20, 2013	September 23, 2013	\$4,200,000
Honda	February 25, 2015	October 26, 2015	November 17, 2015	\$700,000
Kawasaki	June 4, 2018	October 0, 2018	October 0, 2018	\$785,000
Tecumseh	August 10, 2018	October 0, 2018	October 0, 2018	\$1,550,000
TOTAL:				\$7,535,000

- 3 -

The Settlement Amount, minus court-approved Class Counsel fees, disbursements, and applicable taxes, is held in an interest bearing trust account for the benefit of the class members (the "Settlement Funds").

VI. WHEN CAN I MAKE A CLAIM?

The claims period will run from January 21, 2019 to May 22, 2019. You may make your claim at any time during the claims period, but no claims will be accepted after May 22, 2019. Claims that are not made by the deadline will not be eligible for compensation.

VII. HOW DO I MAKE A CLAIM?

Claims will be made through the online claims portal at www.lawnmowersettlement.ca. Claimants are asked to provide the best information they have available regarding their lawn mower purchases which will be evaluated on a flexible basis by the Claims Administrator.

End Users

If you are an "End User" (i.e. a consumer or a business that purchased a lawn mower for personal/professional use), you will need to complete a short online claim form containing some basic particulars of your lawn mower purchase(s). This information does not necessarily require documentary proof but simply the best information you have available regarding the following:

- lawn mower make/model;
- engine make/model;
- year of purchase;
- home address at the time the lawn mower was purchased; and
- retailer where the lawn mower was purchased.

Additional documentation proving your lawn mower purchase(s) and/or the horsepower of your lawn mower(s) may be uploaded to increase the value of your claim. These documents may include:

- geotagged photos;
- receipts;
- manuals;
- serial numbers;
- warranty documents;
- product registration documents;
- rebate documents;
- repair invoices; or
- any other information/document providing details about your lawn mower.

Upstream Purchasers

If you are an "Upstream Purchaser" (i.e. a retailer or wholesaler who purchased lawn mowers for resale and not for actual use), you will need to provide invoices, receipts, purchase records, or historical accounting records proving your lawn mower purchases.

Alternatively, a declaration can be provided along with other documents that prove the lawn mower purchases such as delivery or packing slips, credit card statements, bank statements, cancelled cheques, wire transfer confirmations, proof of product registration, rebate documents, warranty documents, serial numbers, repair invoices, or any other comparable verification that is acceptable to the Claims Administrator.

Please see the Distribution Protocol, available at www.lawnmowersettlement.ca, for a full list of acceptable documents. Proof of purchase will be reasonably and flexibly administered by the Claims Administrator with a view to enabling claims while deterring non-meritorious claims.

VIII. HOW MUCH MONEY WILL I BE PAID?

The Settlement Funds will be divided with 80% of the total being allocated to End Users and 20% being allocated to Upstream Purchasers.

End Users

End Users will fall into one of the following categories of compensation:

End Users Providing a Declaration without Further Proof	End Users Providing Documentary Proof
End Users who provide a declaration of the basic required information regarding their lawn mower purchase(s) without any documentary proof will be entitled to \$15 <i>per claimant</i> .	End Users who provide valid documentary proof of the following will be compensated <i>per lawn mower</i> as follows: <ul style="list-style-type: none">• Any lawn mower with proof of purchase but without proof of horsepower rating - \$15• Walk-behind lawn mowers with proof of horsepower rating of under 5 horsepower - \$20• Walk-behind lawn mowers with proof of horsepower rating of 5 horsepower or more - \$35• Riding lawn mowers with proof of horsepower rating of under 18 horsepower - \$45• Riding lawn mowers with proof of horsepower rating of 18 horsepower or more - \$55

The amounts in either category could be either increased or decreased on a prorated basis depending on the number of eligible claims made by class members.

Further, if an End User's lawn mower purchases reflect an exceptional consideration such that the above categories do not adequately capture the circumstances of their purchases, the End User shall be permitted to submit proof and explain their lawn mower purchases. The Claims Administrator will have the discretion to evaluate the claim and make a decision with respect to compensation as appropriate in the circumstances. Full details can be found in the Distribution Protocol, available at www.lawnmowersettlement.ca.

Upstream Purchasers

Upstream Purchasers will be compensated for their eligible lawn mower purchases on a proportional basis out of the Upstream Purchasers portion of the Settlement Funds according to the volume and type of lawn mowers purchased. A point system will be utilized to determine each Upstream Purchaser's share of the Settlement Funds. Points will be assigned as follows:

- Lawn Mowers without proof of horsepower – 3 points;
- Walk-behind Lawn Mowers with engines under 5 horsepower – 4 points;
- Walk-behind Lawn Mowers with engines 5 horsepower or more – 7 points;
- Riding Lawn Mowers with engines under 18 horsepower – 9 points; and
- Riding Lawn Mowers with engines 18 horsepower or more – 11 points.

Upstream Purchasers will each receive a percentage of the Settlement Funds allocated to Upstream Purchasers in proportion to their total point value compared to the total number of points assigned to all claimants. For full details of the calculation for Upstream Purchasers, consult the full Distribution Protocol at www.lawnmowersettlement.ca.

IX. WHEN WILL QUALIFYING CLAIMS BE PAID?

At the conclusion of the claims period, the Claims Administrator must review and assess all claims. Should any claims be missing information, the Claims Administrator will reach out to those claimants and give them an additional 30 days to correct their claims. Once all claims have been reviewed and the payments have been calculated, payment will be made to eligible claimants.

Accurate claims processing takes time and a date for payment is unknown at this time. Updates will be posted regularly on www.lawnmowersettlement.ca.

X. WHAT DO I HAVE TO PAY?

You do not have to pay the lawyers working on these Class Actions any money. Class Counsel have been paid from the total amounts of the settlements and the payments were approved by the courts.

XI. WHAT IF I DON'T WANT TO BE IN THE CLASS ACTIONS?

Pursuant to previous Orders of the courts, the deadline for class members to opt out of the Class Actions was September 17, 2013. If you did not previously opt out, you are eligible to make a claim and are legally bound by the results of the Class Actions.

- 6 -

XII. WHO ARE THE LAWYERS WORKING ON THESE CLASS ACTIONS?

Harrison Pensa ^{LLP} represents the class representatives, Mr. Foster and Mr. Davenport, as well as all class members in all Canadian provinces and territories, excluding Québec. Harrison Pensa ^{LLP} can be reached:

- By telephone at 1-800-263-0489, ext. •
- By fax at 1-519-667-3362
- By e-mail at lawnmowersettlement@harrisonpensa.com
- By mail at 450 Talbot Street, London, Ontario, N6A 5J6, Attn: Jonathan Foreman

Consumer Law Group Inc. represents the class representatives, Mr. Liverman and Mr. Vadish, as well as all class members in Québec. Consumer Law Group Inc. can be reached:

- By telephone at 1-514-266-7863, ext. 2
- By fax at 1-514-868-9690
- By e-mail at info@clg.org
- By mail at 1030 rue Berri, Suite 102, Montréal, Québec, H2L 4C3, Attn: Jeff Orenstein

XIII. WHO IS THE CLAIMS ADMINISTRATOR?

RicePoint Administration Inc. is the court-approved Claims Administrator running the claims program on behalf of Class Counsel. RicePoint Administration Inc. can be reached:

- By telephone at 1-866-432-5534
- By e-mail at lawnmower@ricepoint.com
- By mail at 1480 Richmond Street, Suite 204, London, Ontario, N6G 0J4, Attn: Lawn Mower Class Action

XIV. WHERE CAN I ASK MORE QUESTIONS?

This notice contains only a summary of the settlements, the Distribution Protocol, and the claims process. Class members are encouraged to review the complete Distribution Protocol which can be accessed from the settlement website at www.lawnmowersettlement.ca. If you have questions that are not answered online, please contact the appropriate Class Counsel identified above or the Claims Administrator. Inquiries should not be directed to the courts.

XV. INTERPRETATION

This notice contains a summary of some of the terms of the various settlement agreements and Distribution Protocol in the Class Actions. If there is a conflict between the provisions of this notice and the settlement agreements or Distribution Protocol, the terms of the settlement agreements or Distribution Protocol shall prevail.

- 7 -

SCHEDULE "A" – LAWN MOWER BRANDS

The following is a non-exhaustive list of brands of lawn mowers which may be eligible for compensation in the Class Actions. Other brand names manufactured by the defendants may be eligible for compensation.

- | | | |
|-------------|---------------|-----------------|
| • Ariens | • Jacobson | • Simplicity |
| • Bolens | • John Deere | • Snapper |
| • Brute | • Lawn Boy | • Swisher |
| • Columbia | • Mastercraft | • Toro |
| • Craftsman | • Mastercut | • Troy-Bilt |
| • Cub Cadet | • MTD | • Walker |
| • Dynamark | • MTD Gold | • Weed Eater |
| • Exmark | • MTD Pro | • White Outdoor |
| • Ferris | • Murray | • Wright |
| • Gravely | • Noma | • Yard Machines |
| • Honda | • Poulan | • Yard-Man |
| • Husqvarna | • Poulan Pro | • YardPro |
| • Hustler | • Remington | • Yardworks |

SCHEDULE "D"

PRESS RELEASE

CANADIAN LAWN MOWER OWNERS MAY NOW CLAIM MONEY IN LAWN MOWER HORSEPOWER LABELLING CLASS ACTIONS

London, Ontario, • – Class actions initiated in Ontario and Québec have concluded with settlements totalling \$7,535,000.

Affected lawn mower purchasers can make claims for payment. Visit www.lawnmowersettlement.ca (the "Settlement Website") to learn more and to make a claim for money. Claims must be submitted by May 22, 2019.

The class actions concern all Canadians who purchased certain major brand-name gas-powered lawn mowers labelled at 30 horsepower or less between January 1, 1994 and December 31, 2012 which were manufactured or labelled by the defendants. See the Settlement Website for details respecting the eligible lawn mowers. It is alleged that the defendants agreed to manipulate horsepower labelling on certain lawn mowers during this time. The defendants deny the allegations and they have not been proven in court.

There is a speedy and simple online claims process for lawn mower purchasers to claim between \$15 and \$55 per qualifying lawn mower. See the Settlement Website for the ranges of compensation available depending on the information you provide and the horsepower of the lawn mowers you purchased. Purchasers can provide the best information they have available. Even a declaration without further proof may qualify for cash compensation.

Retailers and distributors of affected lawn mowers can also claim a share of the settlement recoveries. 20% of the Net Settlement Amount has been allocated to an Upstream Purchasers' Fund. Proportionate payments to eligible claimants will be made from the Upstream Purchaser Fund based on the eligible lawn mowers they purchased and their corresponding horsepower ratings.

For more information regarding the claims process, including more details about the levels of compensation and acceptable documentary proof, see the court-approved Distribution Protocol which is posted at www.lawnmowersettlement.ca.

Harrison Pensa ^{LLP}, based in London Ontario, is one of Canada's foremost class action law firms and has expertise in a full range of class action matters.

SOURCE Harrison Pensa ^{LLP} www.harrisonpensa.com

For further information: Media contact: Jonathan Foreman jforeman@harrisonpensa.com

PRESS RELEASE

DEADLINE ALERT: CANADIAN LAWN MOWER OWNERS MUST MAKE CLAIMS FOR MONEY IN LAWN MOWER HORSEPOWER LABELLING CLASS ACTIONS BY MAY 22, 2019

London, Ontario, • – Class actions initiated in Ontario and Québec have concluded with settlements totalling \$7.535 million.

Affected lawn mower purchasers must make a claim for payment by May 22, 2019. Visit www.lawnmowersettlement.ca (the "Settlement Website") to learn more and to make a claim for money.

The class actions concern all Canadians who purchased certain major brand-name gas-powered lawn mowers labelled at 30 horsepower or less between January 1, 1994 and December 31, 2012 which were manufactured or labelled by the defendants. It is alleged that the defendants agreed to manipulate horsepower labelling on certain lawn mowers during this time. The defendants deny the allegations and they have not been proven in court.

There is a speedy and simple online claims process for lawn mower purchasers to claim between \$15 and \$55 per qualifying lawn mower. See the Settlement Website for the ranges of compensation available depending on the information you provide and the horsepower of the lawn mowers you purchased. Purchasers can provide the best information they have available. Even a declaration without further proof may qualify for cash compensation.

Retailers and distributors of affected lawn mowers can also claim a share of the settlement recoveries. 20% of the Net Settlement Amount has been allocated to an Upstream Purchasers' Fund. Proportionate payments to eligible claimants will be made from the Upstream Purchaser Fund based on the eligible lawn mowers they purchased and their corresponding horsepower ratings.

For more information regarding the claims process, including more details about the levels of compensation and acceptable documentary proof, see the court-approved Distribution Protocol which is posted at www.lawnmowersettlement.ca.

Harrison Pensa ^{LLP}, based in London Ontario, is one of Canada's foremost class action law firms and has expertise in a full range of class action matters.

SOURCE Harrison Pensa ^{LLP} www.harrisonpensa.com

For further information: Media contact: Jonathan Foreman jforeman@harrisonpensa.com

CLAIMS FOR MONEY MAY NOW BE MADE BY CANADIANS WHO PURCHASED LAWN MOWERS BETWEEN 1994 AND 2012

WHAT ARE THE CLASS ACTIONS ABOUT?

Class action lawsuits have been brought in Ontario and Québec on behalf of all Canadians who purchased certain major brand-name walk-behind or riding lawn mowers made by a defendant containing certain gas combustible engines labelled at 30 horsepower or less between January 1, 1994 and December 31, 2012 (the "Class Actions").

The Class Actions allege that the defendants agreed to manipulate horsepower labelling on certain lawn mowers during the class period. The defendants deny the allegations and no manipulation of horsepower or horsepower labelling has been proven in court.

Settlement agreements with all defendants have now been approved by the courts for total settlement recoveries of \$7,535,000.

WHAT DO I HAVE TO DO NOW?

The claims period is now open. You may go to www.lawnmowersettlement.ca to make a claim for compensation. The claims deadline is May 22, 2019. Claims that are not made by the deadline will not be eligible for compensation.

You will be asked to provide some basic information about your lawn mower purchase. If you have additional documentation about your lawn mower, you may provide it to qualify for higher compensation. The claims administration rules provide for flexible evaluation of acceptable documentation. Purchasers are encouraged to provide the best information they have available in order to qualify for more money. The claims process is designed to be simple. Claims by lawn mower purchasers for their own use ("End Users") are designed to take only a few minutes to complete.

End Users who provide a declaration of the basic information will receive \$15 *per claimant*. Those who provide additional documentation proving their purchase details and/or the horsepower ratings of their lawn mower(s) will be eligible for between \$15 and \$55 *per lawn mower* depending on the horsepower rating of their lawn mower(s). These amounts are subject to potential proration.

Retailers and distributors of affected lawn mowers ("Upstream Purchasers") can also claim a share of the settlement recoveries. 20% of the Net Settlement Amount has been allocated to an Upstream Purchasers' Fund. Proportionate payments to eligible claimants will be made from the Upstream Purchaser Fund based on the eligible lawn mowers they purchased and their corresponding horsepower ratings.

Payment to class members will be made in accordance with the court-approved Distribution Protocol. The Distribution Protocol contains detailed information about the categories of compensation for consumers and the calculation of compensation for Upstream Purchasers. It can be reviewed at www.lawnmowersettlement.ca.

Pursuant to previous Orders of the courts, the deadline for class members to opt out of the Class Actions was September 17, 2013. If you did not previously opt out, you are eligible to make a claim and are legally bound by the results of the Class Actions.

DOES THIS COST ME ANYTHING?

No. Pursuant to court Orders, the lawyers representing class members have been paid their legal fees and expenses out of the settlement amounts.

For more information, please contact one of the following:

Ontario Class Counsel (representing all provinces and territories, excluding Québec):

- Harrison Pensa ^{LLP} | Tel: 1.800.263.0489 ext. 0 | lawnmowersettlement@harrisonpensa.com
450 Talbot Street, P.O. Box 3237, London, Ontario, N6A 5J6, Attn: Jonathan Foreman

Québec Class Counsel (representing Québec):

- Consumer Law Group Inc. | Tel: 514.266.7863 ext. 2 | info@clg.org
1030 rue Berri, Suite 102, Montréal, Québec, H2L 4C3, Attn: Jeff Orenstein

Claims Administrator:

- RicePoint Administration Inc. | Tel: 1.866.432.5534 | lawnmower@ricepoint.com
P.O. Box 3355, London, Ontario, N6A 4K3

LEGAL NOTICE AUTHORIZED BY THE ONTARIO SUPERIOR COURT OF JUSTICE
AND THE SUPERIOR COURT OF QUÉBEC

**DID YOU PURCHASE A LAWN MOWER
BETWEEN 1994 AND 2012? YOU
MAY BE ENTITLED TO COMPENSATION
UNDER A HORSEPOWER LABELLING
SETTLEMENT**

Court-approved settlements have been reached totalling \$7,535,000. These settlements have been secured on behalf of all persons who purchased certain major brand-name lawn mowers between January 1, 1994 and December 31, 2012.*

YOU MAY NOW MAKE A CLAIM FOR MONEY

To make a claim for money, visit www.lawnmowersettlement.ca to access the online claim portal. There is a speedy and simple online claims process for lawn mower purchasers to claim between \$15 and \$55 per qualifying lawn mower. Retailers and distributors of affected lawn mowers may also claim a portion of the settlement based on their purchase records. See the settlement website for further details regarding the claims process.

All claims must be received by May 22, 2019

FOR FURTHER INFORMATION

visit www.lawnmowersettlement.ca OR call 1-866-432-5534

* Affected lawn mowers were those containing a gas-combustible engine of 30 horsepower or less which was designed, manufactured, or labelled by: Briggs & Stratton, Electrolux, Honda, Husqvarna, John Deere, Kawasaki, Kohler, MTD, Tecumseh, or Toro. A list of affected brand names can be found at www.lawnmowersettlement.ca.

SCHEDULE "H"

LEGAL NOTICE AUTHORIZED BY THE ONTARIO SUPERIOR COURT OF JUSTICE
AND THE SUPERIOR COURT OF QUÉBEC

**DID YOU PURCHASE A LAWN MOWER BETWEEN 1994 AND
2012? YOU MAY BE ENTITLED TO COMPENSATION**

YOU MAY NOW MAKE A CLAIM FOR MONEY

Visit www.lawnmowersettlement.ca to file a claim

SCHEDULE "I"

Lawn Mowers Class Action Plan of Dissemination – Notices of Claims Period

The Notices of Claims Period (the "Notices") are attached to this Plan of Dissemination and consist of the following documents:

- a. Short-Form Notice (attached as Schedule "A");
- b. Long-Form Notice (attached as Schedule "B");
- c. Initial Press Release (attached as Schedule "C");
- d. Follow-Up Press Release (attached as Schedule "D");
- e. Publication Notice (attached as Schedule "E");
- f. Newspaper Ad (attached as Schedule "F"); and
- g. Banner Ad (attached as Schedule "G").

The Notices will be distributed to Class Members as follows:

DEDICATED SETTLEMENT WEBSITE AND RELATED SOCIAL MEDIA

1. By posting the Short-Form Notice and the Long-Form Notice, at the commencement of the claims period, on a dedicated settlement website at www.lawnmowersettlement.ca (the "Settlement Website") as well as on the websites of Class Counsel at www.harrisonpensa.com and www.clg.org.
2. By publicizing, at the commencement of the claims period, the Settlement Website through Class Counsel's respective accounts on the following social media platforms:
 - a. Facebook; and
 - b. Twitter.

NEWS MEDIA

3. The Initial Press Release will be distributed to all major news and broadcast outlets across Canada, in English and French, on Canada Newswire which includes a social media feed to facilitate recirculation of the Initial Press Release. It will be released at the commencement of the claims period.
4. The Follow-Up Press Release will be distributed to all major news and broadcast outlets across Canada, in English and French, on Canada Newswire which includes a social media feed to facilitate recirculation of the Follow-Up Press Release. It will be released halfway through the claims period.
5. By publishing the Banner Ad with links to the Settlement Website on the following news media websites for two periods of approximately one month each, for a cumulative total of 430,000 views, firstly, at the commencement of the claims period and then again at the start of the third month of the claims period:
 - a. www.theglobeandmail.com
 - b. www.nationalpost.com
 - c. www.lapresse.com
 - d. www.calgaryherald.com
 - e. www.vancouversun.com
 - f. www.thestarphoenix.com
 - g. www.winnipegfreepress.com
 - h. www.thetelegram.com
 - i. www.theguardian.pe.ca
 - j. www.thechronicleherald.ca

6. By publication of the Newspaper Ad once, at the commencement of the claims period, in the Front/News sections of the Saturday print edition of the following newspapers:
 - a. The Globe and Mail (National Edition);
 - b. The National Post;
 - c. La Presse; and
 - d. Le Journal de Québec.
7. By publishing the Banner Ad, with a link to the Settlement Website, on the Metro digital newspaper, which is available on mobile and desktop platforms, commencing during the second month of the claims period, until reaching a total of 150,000 views, targeted to the following markets:
 - a. Toronto;
 - b. Montreal;
 - c. Edmonton;
 - d. Calgary;
 - e. Halifax; and
 - f. Vancouver

EARNED MEDIA

8. Class Counsel has retained a public relations firm, Argyle Public Relationships, whose work will focus on the construction of an earned media campaign. The earned media campaign is designed to generate media coverage by targeting certain media outlets with compatible interest in the subject matter of the case throughout the duration of the claims period. Specifically, the campaign will include:

- a. Media Kit Development and Outreach consisting of the preparation of a Press Release and distribution, outreach to drive coverage, and coordination of interviews with Harrison Pensa^{LLP} about the settlements and claims process;
- b. Social media advertising campaign through Facebook to target men and women aged 35 and over in key geographic locations; and
- c. Strategy Development and Program Management to monitor media service, and to develop and adjust strategic approach accordingly.

The Publication Notice will also be provided to Argyle for use in the Media Kit.

FURTHER ONLINE ADVERTISING

9. By publishing the Banner Ad, with a link to the Settlement Website, on various websites related to home and garden topics through the Google Display Network until reaching a total of 5,000,000 views (4 million English views and 1 million French views) over the four month claims period.

DIRECT MAIL, FAX, AND/OR E-MAIL

10. By direct mail, fax, and/or e-mail of the Short-Form Notice to all persons who have contacted Class Counsel about the litigation.
11. By an e-mail update regarding the Proceedings, including a link to the Settlement Website, to the following:
 - a. A proprietary list of lawn and garden retailers across Canada purchased from InfoCanada;

- b. Sports Turf Canada – members are those that are responsible for maintaining sports fields across Canada and include municipalities, schools, colleges, universities, landscape architects, and contractors; the organization provides information to improve sports turf and its maintenance;
- c. Canadian Nursery Landscape Association and its regional associations (see Schedule H) – the organization represents landscapers, independent garden centres, and nursery growers and undertakes programs and initiatives to advance members' interests;
- d. Municipal associations across Canada (see Schedule I) – these organizations reach representatives of all municipalities in their respective regions;
- e. University and college landscaping departments across Canada (see Schedule J);
- f. Golf course associations across Canada (see Schedule K) – members are superintendents from golf clubs across Canada; the organizations support education on various aspects of the golf industry, including management and repair of all golf playing areas and the required equipment;
- g. Professional Lawn Care Association of Ontario – members are lawn care professionals across Ontario; the organization provides education to members regarding up-to-date practices and equipment in the lawn care industry;
- h. Nursery Sod Growers Association of Ontario – members of this organization are sod farms across Ontario; the organization's objectives are to maintain high standards in the industry, to promote consumer knowledge, and to work with related professions to gather, analyze, and disseminate relevant information to the public and government agencies; and

- i. All persons or organizations who request a copy of the Notices and any other potentially interested parties identified by Class Counsel.

CONSUMER AND TRADE ASSOCIATIONS

12. By providing the Notices to the following organizations for distribution to their memberships:
 - a. the Consumers' Association of Canada by:
 - i. posting the Short-Form Notice under the "Class Action Lawsuits" section, under the "Consumer Advocacy" tab of their website;
 - ii. posting the Press Release under the "Press Releases" section, under the "Consumer Advocacy" tab of their website; and
 - iii. posting a link to the Settlement Website of their Facebook page.
 - b. the Consumers Council of Canada by:
 - i. posting a link to the Settlement Website on their website homepage;
 - ii. posting the Short-Form Notice under the "Class Action Notices" section of the "Council News" page of their website;
 - iii. posting a link to the Settlement Website on their Facebook page; and
 - iv. posting a link to the Settlement Website on their Twitter feed.
 - c. the Retail Council of Canada by:
 - i. publishing the Short-Form Notice in its weekly e-newsletter;
 - ii. posting a link to the Settlement Website on its website homepage;
 - iii. posting a link to the Settlement Website on its Facebook page;
 - iv. posting a link to the Settlement Website on its Twitter feed; and

- v. posting a link to the Settlement Website on its LinkedIn feed.

CONSUMER WEBSITES AND FORUMS

13. By publishing the Banner Ad, with a link to the Settlement Website, on www.redflagdeals.com for one week at the commencement of the claims period.
14. By posting a link to the Notices online through a post on the www.smartcanucks.ca website forum, subject to the approval of the website administrator at the commencement of the claims period.

ADJUSTABLE/RESPONSIVE NOTICE PLAN

15. Harrison Pensa ^{LLP}, in consultation with Argyle Public Relationships and RicePoint Administration Inc., will employ responsive notice tactics to adjust this Plan of Dissemination in accordance with feedback received and other relevant marketing information and statistics as evaluated throughout the duration of the Notice program. In response to the ongoing evaluation of the performance of the various aspects of the Plan of Dissemination, budgetary resources may be reassigned from one aspect of the Plan of Dissemination to another and timing of the various elements may be adjusted in order to disseminate the Notices as effectively as possible.

SCHEDULE A

LEGAL NOTICE AUTHORIZED BY THE ONTARIO SUPERIOR COURT OF JUSTICE AND THE SUPERIOR COURT OF QUÉBEC

If you purchased a lawn mower in Canada between January 1, 1994 and December 31, 2012, you may now make a claim for money

LAWN MOWERS CLASS ACTION LAWSUIT

In 2010, class action lawsuits were initiated in Ontario by Harrison Pensa LLP and in Québec by Consumer Law Group Inc. on behalf of all Canadians who purchased Lawn Mowers between January 1, 1994 and December 31, 2012 (the "Class Actions").

A "Lawn Mower" means a lawn mower designed, manufactured, or labelled by any of the Defendants for ultimate sale, including retail sale, in Canada, containing a gas-combustible engine labelled at 30 horsepower or less.

The Class Actions allege that the Defendants agreed to manipulate horsepower labelling on certain Lawn Mowers during the class period. The defendants deny the allegations and no manipulation of horsepower labelling has been proven in court.

THE SETTLEMENTS

Settlements have been reached with all defendants in this case totalling \$7,535,000 (collectively, the "Settlements"). The Settlements have been approved by the courts in Ontario and Québec.

Pursuant to previous Orders of the courts, the deadline for class members to opt out of the lawn mowers class action was September 17, 2013. If you did not previously opt out, you are eligible to make a claim and are legally bound by the results of the Class Actions.

The settlement funds, less court-approved fees, disbursements, notice costs, and applicable taxes (the "Net Settlement Amount"), are being held in an interest-bearing trust account for the benefit of all class members.

HOW DO I MAKE A CLAIM FOR SETTLEMENT FUNDS?

All class members who wish to make a claim for compensation under the Settlements must submit a claim no later than May 22, 2019. Claims that are not made by the deadline will not be eligible for compensation.

Class members are asked to provide the best information they have regarding their Lawn Mower purchase(s). The Claims Administration rules provide for flexible evaluation of acceptable documentation. Even a declaration without further proof may qualify for cash compensation. Compensation under the Distribution Protocol increases with proof of purchase or proof of the horsepower rating of the Lawn Mower.

Claims must be submitted online through the claims portal at www.lawnmowersettlement.ca. If you are unable to make an online claim, a paper claim form can be requested.

THE DISTRIBUTION PROTOCOL

See www.lawnmowersettlement.ca to review the Distribution Protocol.

Upstream Purchasers (retailers, wholesalers, etc. who purchased Lawn Mowers for resale) are entitled to claim a share of the settlement recoveries. 20% of the Net Settlement Amount has been allocated to an Upstream Purchasers' Fund. Proportionate payments to eligible claimants will be made from the Upstream Purchaser Fund based on their eligible Lawn Mower purchase(s) and their corresponding horsepower ratings. For a full explanation of the calculation for Upstream Purchasers, see the Distribution Protocol.

End Users (individuals or businesses who purchased Lawn Mowers for their own use) will fall into one of the following categories based on the information they provide:

1. End Users Providing a Declaration without Further Proof – Those who provide a declaration of the basic required information regarding their Lawn Mower purchase(s) without any documentary proof will be entitled to \$15 *per claimant*.

2. End Users Providing Proof – Those who provide proof of purchase or proof of the horsepower rating regarding their Lawn Mower(s) will receive the following, *per Lawn Mower*:

- \$15 – Any Lawn Mower with proof of purchase but without proof of horsepower rating
- \$20 – Any walk-behind Lawn Mower with proof of horsepower rating of under 5 horsepower
- \$35 – Any walk-behind Lawn Mower with proof of horsepower rating of 5 horsepower or more
- \$45 – Any riding Lawn Mower with proof of horsepower rating of under 18 horsepower
- \$55 – Any riding Lawn Mower with proof of horsepower rating of 18 horsepower or more

The amounts set out above are subject to potential proration, up or down, depending on claims rates. Under the Distribution Protocol, the Claims Administrator also has the discretion to evaluate proof for claims that reflect an exceptional circumstance.

MORE QUESTIONS

If you have any questions about the Class Actions or the claims process, visit www.lawnmowersettlement.ca or contact the Claims Administrator or Class Counsel:

Lawn Mower Class Action
c/o RicePoint Administration Inc.
P.O. Box 3355
London, ON N6A 4K3
Tel: 1.866.432.5534
E-mail: lawnmower@ricepoint.com

Harrison Pensa LLP
Attention: Jonathan J. Foreman
450 Talbot Street
London, ON N6A 5J6
Tel: 1.800.263.0489 ext. 0
Fax: 1.519.667.3362
E-mail: lawnmowersettlement@harrisonpensa.com

Consumer Law Group Inc.
Attention: Jeff Orenstein
1030 rue Berri, Suite 102
Montreal, QC H2L 4C3
Tel: 1.514.266.7863 ext. 2
Fax: 1.514.868.9690
E-mail: info@clg.org

SCHEDULE D

LEGAL NOTICE AUTHORIZED BY THE ONTARIO SUPERIOR COURT OF JUSTICE AND THE SUPERIOR COURT OF QUÉBEC

**NOTICE OF CLAIMS PERIOD IN THE LAWN MOWER
HORSEPOWER LABELLING CLASS ACTIONS**

TO: All persons in Canada who purchased certain major brand-name walk-behind or riding lawn mowers manufactured by the defendants or containing a gas combustible engine manufactured by the defendants labelled at 30 horsepower or less between January 1, 1994 and December 31, 2012.

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

I. WHAT IS A CLASS ACTION?

A class action is a lawsuit filed by one person on behalf of a large group of people affected by the same issue.

II. WHAT ARE THESE CLASS ACTIONS ABOUT?

In 2010, class actions were initiated in Ontario by Harrison Pensa^{LLP} and in Québec by Consumer Law Group Inc. (collectively, "Class Counsel") against various lawn mower and lawn mower engine manufacturers (the "Class Actions"). The Class Actions claim that the companies who manufactured the engines and the lawn mowers containing them mislabelled the products in certain circumstances to show a higher horsepower than what was actually contained in the lawn mower.

III. WHO ARE THE DEFENDANT LAWN MOWER AND LAWN MOWER ENGINE MANUFACTURERS?

The defendants are the following companies:

- "Briggs & Stratton" – Briggs & Stratton Canada Inc. and Briggs & Stratton Corporation
- "Electrolux" – Electrolux Canada Corp. and Electrolux Home Products, Inc.
- "Honda" – Honda Canada Inc. and American Honda Motor Co., Inc.
- "Husqvarna" – Husqvarna Canada Corp. and Husqvarna Consumer Outdoor Products N.A., Inc.
- "John Deere" – John Deere Canada ULC and Deere & Company
- "Kawasaki" – Kawasaki Motors Corp., U.S.A.
- "Kohler" – Kohler Canada Co. and Kohler Co.
- "MTD" – MTD Products Limited and MTD Products Inc.
- "Tecumseh" – Tecumseh Products of Canada, Limited, Tecumseh Products Company, and Platinum Equity, LLC
- "Toro" – The Toro Company (Canada), Inc. and The Toro Company

- 2 -

IV. HOW DO I KNOW IF I AM A CLASS MEMBER?

You are automatically a class member if you have not previously opted out and you:

- purchased a gas-powered walk-behind or riding lawn mower labelled at 30 horsepower or less that was manufactured by one of the defendants and contains an engine manufactured by one of the defendants;
- purchased it between January 1, 1994 and December 31, 2012; AND
- purchased it in Canada.

A non-exhaustive list of eligible lawn mower brands can be found at Schedule "A" to this notice.

V. WHAT IS A SETTLEMENT AND WHAT SETTLEMENTS HAVE BEEN REACHED IN THESE CLASS ACTIONS?

A settlement is when a defendant agrees to pay money to the class members in exchange for being released from the case.

In the Class Actions, several settlements were reached at various times during the case totalling \$7,535,000 (the "Settlement Amount") which have all been approved by the courts. The settlements are not an admission of liability, fault, or wrongdoing by the defendants, but are a compromise of disputed claims.

The settlements reached in the Class Actions are outlined below:

SETTLING DEFENDANTS	DATE OF SETTLEMENT AGREEMENT	DATE OF ONTARIO COURT APPROVAL	DATE OF QUÉBEC COURT APPROVAL	AMOUNT
MTD	September 29, 2010	September 20, 2013	September 23, 2013	\$300,000 + extensive cooperation to the plaintiffs
Briggs & Stratton, Electrolux, John Deere, Husqvarna, Kohler, and Toro	June 26, 2013	September 20, 2013	September 23, 2013	\$4,200,000
Honda	February 25, 2015	October 26, 2015	November 17, 2015	\$700,000
Kawasaki	June 4, 2018	October 6, 2018	October 6, 2018	\$785,000
Tecumseh	August 10, 2018	October 6, 2018	October 6, 2018	\$1,550,000
TOTAL:				\$7,535,000

- 3 -

The Settlement Amount, minus court-approved Class Counsel fees, disbursements, and applicable taxes, is held in an interest bearing trust account for the benefit of the class members (the "Settlement Funds").

VI. WHEN CAN I MAKE A CLAIM?

The claims period will run from January 21, 2019 to May 22, 2019. You may make your claim at any time during the claims period, but no claims will be accepted after May 22, 2019. Claims that are not made by the deadline will not be eligible for compensation.

VII. HOW DO I MAKE A CLAIM?

Claims will be made through the online claims portal at www.lawnmowersettlement.ca. Claimants are asked to provide the best information they have available regarding their lawn mower purchases which will be evaluated on a flexible basis by the Claims Administrator.

End Users

If you are an "End User" (i.e. a consumer or a business that purchased a lawn mower for personal/professional use), you will need to complete a short online claim form containing some basic particulars of your lawn mower purchase(s). This information does not necessarily require documentary proof but simply the best information you have available regarding the following:

- lawn mower make/model;
- engine make/model;
- year of purchase;
- home address at the time the lawn mower was purchased; and
- retailer where the lawn mower was purchased.

Additional documentation proving your lawn mower purchase(s) and/or the horsepower of your lawn mower(s) may be uploaded to increase the value of your claim. These documents may include:

- geotagged photos;
- receipts;
- manuals;
- serial numbers;
- warranty documents;
- product registration documents;
- rebate documents;
- repair invoices; or
- any other information/document providing details about your lawn mower.

Upstream Purchasers

If you are an "Upstream Purchaser" (i.e. a retailer or wholesaler who purchased lawn mowers for resale and not for actual use), you will need to provide invoices, receipts, purchase records, or historical accounting records proving your lawn mower purchases.

Alternatively, a declaration can be provided along with other documents that prove the lawn mower purchases such as delivery or packing slips, credit card statements, bank statements, cancelled cheques, wire transfer confirmations, proof of product registration, rebate documents, warranty documents, serial numbers, repair invoices, or any other comparable verification that is acceptable to the Claims Administrator.

Please see the Distribution Protocol, available at www.lawnmowersettlement.ca, for a full list of acceptable documents. Proof of purchase will be reasonably and flexibly administered by the Claims Administrator with a view to enabling claims while deterring non-meritorious claims.

VIII. HOW MUCH MONEY WILL I BE PAID?

The Settlement Funds will be divided with 80% of the total being allocated to End Users and 20% being allocated to Upstream Purchasers.

End Users

End Users will fall into one of the following categories of compensation:

End Users Providing a Declaration without Further Proof	End Users Providing Documentary Proof
End Users who provide a declaration of the basic required information regarding their lawn mower purchase(s) without any documentary proof will be entitled to \$15 <i>per claimant</i> .	End Users who provide valid documentary proof of the following will be compensated <i>per lawn mower</i> as follows: <ul style="list-style-type: none">• Any lawn mower with proof of purchase but without proof of horsepower rating - \$15• Walk-behind lawn mowers with proof of horsepower rating of under 5 horsepower - \$20• Walk-behind lawn mowers with proof of horsepower rating of 5 horsepower or more - \$35• Riding lawn mowers with proof of horsepower rating of under 18 horsepower - \$45• Riding lawn mowers with proof of horsepower rating of 18 horsepower or more - \$55

The amounts in either category could be either increased or decreased on a prorated basis depending on the number of eligible claims made by class members.

- 5 -

Further, if an End User's lawn mower purchases reflect an exceptional consideration such that the above categories do not adequately capture the circumstances of their purchases, the End User shall be permitted to submit proof and explain their lawn mower purchases. The Claims Administrator will have the discretion to evaluate the claim and make a decision with respect to compensation as appropriate in the circumstances. Full details can be found in the Distribution Protocol, available at www.lawnmowersettlement.ca.

Upstream Purchasers

Upstream Purchasers will be compensated for their eligible lawn mower purchases on a proportional basis out of the Upstream Purchasers portion of the Settlement Funds according to the volume and type of lawn mowers purchased. A point system will be utilized to determine each Upstream Purchaser's share of the Settlement Funds. Points will be assigned as follows:

- Lawn Mowers without proof of horsepower – 3 points;
- Walk-behind Lawn Mowers with engines under 5 horsepower – 4 points;
- Walk-behind Lawn Mowers with engines 5 horsepower or more – 7 points;
- Riding Lawn Mowers with engines under 18 horsepower – 9 points; and
- Riding Lawn Mowers with engines 18 horsepower or more – 11 points.

Upstream Purchasers will each receive a percentage of the Settlement Funds allocated to Upstream Purchasers in proportion to their total point value compared to the total number of points assigned to all claimants. For full details of the calculation for Upstream Purchasers, consult the full Distribution Protocol at www.lawnmowersettlement.ca.

IX. WHEN WILL QUALIFYING CLAIMS BE PAID?

At the conclusion of the claims period, the Claims Administrator must review and assess all claims. Should any claims be missing information, the Claims Administrator will reach out to those claimants and give them an additional 30 days to correct their claims. Once all claims have been reviewed and the payments have been calculated, payment will be made to eligible claimants.

Accurate claims processing takes time and a date for payment is unknown at this time. Updates will be posted regularly on www.lawnmowersettlement.ca.

X. WHAT DO I HAVE TO PAY?

You do not have to pay the lawyers working on these Class Actions any money. Class Counsel have been paid from the total amounts of the settlements and the payments were approved by the courts.

XI. WHAT IF I DON'T WANT TO BE IN THE CLASS ACTIONS?

Pursuant to previous Orders of the courts, the deadline for class members to opt out of the Class Actions was September 17, 2013. If you did not previously opt out, you are eligible to make a claim and are legally bound by the results of the Class Actions.

- 6 -

XII. WHO ARE THE LAWYERS WORKING ON THESE CLASS ACTIONS?

Harrison Pensa ^{LLP} represents the class representatives, Mr. Foster and Mr. Davenport, as well as all class members in all Canadian provinces and territories, excluding Québec. Harrison Pensa ^{LLP} can be reached:

- By telephone at 1-800-263-0489, ext. •
- By fax at 1-519-667-3362
- By e-mail at lawnmowersettlement@harrisonpensa.com
- By mail at 450 Talbot Street, London, Ontario, N6A 5J6, Attn: Jonathan Foreman

Consumer Law Group Inc. represents the class representatives, Mr. Liverman and Mr. Vadish, as well as all class members in Québec. Consumer Law Group Inc. can be reached:

- By telephone at 1-514-266-7863, ext. 2
- By fax at 1-514-868-9690
- By e-mail at info@clg.org
- By mail at 1030 rue Berri, Suite 102, Montréal, Québec, H2L 4C3, Attn: Jeff Orenstein

XIII. WHO IS THE CLAIMS ADMINISTRATOR?

RicePoint Administration Inc. is the court-approved Claims Administrator running the claims program on behalf of Class Counsel. RicePoint Administration Inc. can be reached:

- By telephone at 1-866-432-5534
- By e-mail at lawnmower@ricepoint.com
- By mail at 1480 Richmond Street, Suite 204, London, Ontario, N6G 0J4, Attn: Lawn Mower Class Action

XIV. WHERE CAN I ASK MORE QUESTIONS?

This notice contains only a summary of the settlements, the Distribution Protocol, and the claims process. Class members are encouraged to review the complete Distribution Protocol which can be accessed from the settlement website at www.lawnmowersettlement.ca. If you have questions that are not answered online, please contact the appropriate Class Counsel identified above or the Claims Administrator. Inquiries should not be directed to the courts.

XV. INTERPRETATION

This notice contains a summary of some of the terms of the various settlement agreements and Distribution Protocol in the Class Actions. If there is a conflict between the provisions of this notice and the settlement agreements or Distribution Protocol, the terms of the settlement agreements or Distribution Protocol shall prevail.

- 7 -

SCHEDULE "A" – LAWN MOWER BRANDS

The following is a non-exhaustive list of brands of lawn mowers which may be eligible for compensation in the Class Actions. Other brand names manufactured by the defendants may be eligible for compensation.

- | | | |
|-------------|---------------|-----------------|
| • Ariens | • Jacobson | • Simplicity |
| • Bolens | • John Deere | • Snapper |
| • Brute | • Lawn Boy | • Swisher |
| • Columbia | • Mastercraft | • Toro |
| • Craftsman | • Mastercut | • Troy-Bilt |
| • Cub Cadet | • MTD | • Walker |
| • Dynamark | • MTD Gold | • Weed Eater |
| • Exmark | • MTD Pro | • White Outdoor |
| • Ferris | • Murray | • Wright |
| • Gravely | • Noma | • Yard Machines |
| • Honda | • Poulan | • Yard-Man |
| • Husqvarna | • Poulan Pro | • YardPro |
| • Hustler | • Remington | • Yardworks |

Schedule "C"

PRESS RELEASE

CANADIAN LAWN MOWER OWNERS MAY NOW CLAIM MONEY IN LAWN MOWER HORSEPOWER LABELLING CLASS ACTIONS

London, Ontario, • – Class actions initiated in Ontario and Québec have concluded with settlements totalling \$7,535,000.

Affected lawn mower purchasers can make claims for payment. Visit www.lawnmowersettlement.ca (the "Settlement Website") to learn more and to make a claim for money. Claims must be submitted by May 22, 2019.

The class actions concern all Canadians who purchased certain major brand-name gas-powered lawn mowers labelled at 30 horsepower or less between January 1, 1994 and December 31, 2012 which were manufactured or labelled by the defendants. See the Settlement Website for details respecting the eligible lawn mowers. It is alleged that the defendants agreed to manipulate horsepower labelling on certain lawn mowers during this time. The defendants deny the allegations and they have not been proven in court.

There is a speedy and simple online claims process for lawn mower purchasers to claim between \$15 and \$55 per qualifying lawn mower. See the Settlement Website for the ranges of compensation available depending on the information you provide and the horsepower of the lawn mowers you purchased. Purchasers can provide the best information they have available. Even a declaration without further proof may qualify for cash compensation.

Retailers and distributors of affected lawn mowers can also claim a share of the settlement recoveries. 20% of the Net Settlement Amount has been allocated to an Upstream Purchasers' Fund. Proportionate payments to eligible claimants will be made from the Upstream Purchaser Fund based on the eligible lawn mowers they purchased and their corresponding horsepower ratings.

For more information regarding the claims process, including more details about the levels of compensation and acceptable documentary proof, see the court-approved Distribution Protocol which is posted at www.lawnmowersettlement.ca.

Harrison Pensa ^{LLP}, based in London Ontario, is one of Canada's foremost class action law firms and has expertise in a full range of class action matters.

SOURCE Harrison Pensa ^{LLP} www.harrisonpensa.com

For further information: Media contact: Jonathan Foreman jforeman@harrisonpensa.com

Schedule "D"

PRESS RELEASE

DEADLINE ALERT: CANADIAN LAWN MOWER OWNERS MUST MAKE CLAIMS FOR MONEY IN LAWN MOWER HORSEPOWER LABELLING CLASS ACTIONS BY MAY 22, 2019

London, Ontario, – Class actions initiated in Ontario and Québec have concluded with settlements totalling \$7.535 million.

Affected lawn mower purchasers must make a claim for payment by May 22, 2019. Visit www.lawnmowersettlement.ca (the "Settlement Website") to learn more and to make a claim for money.

The class actions concern all Canadians who purchased certain major brand-name gas-powered lawn mowers labelled at 30 horsepower or less between January 1, 1994 and December 31, 2012 which were manufactured or labelled by the defendants. It is alleged that the defendants agreed to manipulate horsepower labelling on certain lawn mowers during this time. The defendants deny the allegations and they have not been proven in court.

There is a speedy and simple online claims process for lawn mower purchasers to claim between \$15 and \$55 per qualifying lawn mower. See the Settlement Website for the ranges of compensation available depending on the information you provide and the horsepower of the lawn mowers you purchased. Purchasers can provide the best information they have available. Even a declaration without further proof may qualify for cash compensation.

Retailers and distributors of affected lawn mowers can also claim a share of the settlement recoveries. 20% of the Net Settlement Amount has been allocated to an Upstream Purchasers' Fund. Proportionate payments to eligible claimants will be made from the Upstream Purchaser Fund based on the eligible lawn mowers they purchased and their corresponding horsepower ratings.

For more information regarding the claims process, including more details about the levels of compensation and acceptable documentary proof, see the court-approved Distribution Protocol which is posted at www.lawnmowersettlement.ca.

Harrison Pensa ^{LLP}, based in London Ontario, is one of Canada's foremost class action law firms and has expertise in a full range of class action matters.

SOURCE Harrison Pensa ^{LLP} www.harrisonpensa.com

For further information: Media contact: Jonathan Foreman jforeman@harrisonpensa.com

Schedule E

CLAIMS FOR MONEY MAY NOW BE MADE BY CANADIANS WHO PURCHASED LAWN MOWERS BETWEEN 1994 AND 2012

WHAT ARE THE CLASS ACTIONS ABOUT?

Class action lawsuits have been brought in Ontario and Québec on behalf of all Canadians who purchased certain major brand-name walk-behind or riding lawn mowers made by a defendant containing certain gas combustible engines labelled at 30 horsepower or less between January 1, 1994 and December 31, 2012 (the "Class Actions").

The Class Actions allege that the defendants agreed to manipulate horsepower labelling on certain lawn mowers during the class period. The defendants deny the allegations and no manipulation of horsepower or horsepower labelling has been proven in court.

Settlement agreements with all defendants have now been approved by the courts for total settlement recoveries of \$7,535,000.

WHAT DO I HAVE TO DO NOW?

The claims period is now open. You may go to www.lawnmowersettlement.ca to make a claim for compensation. The claims deadline is May 22, 2019. Claims that are not made by the deadline will not be eligible for compensation.

You will be asked to provide some basic information about your lawn mower purchase. If you have additional documentation about your lawn mower, you may provide it to qualify for higher compensation. The claims administration rules provide for flexible evaluation of acceptable documentation. Purchasers are encouraged to provide the best information they have available in order to qualify for more money. The claims process is designed to be simple. Claims by lawn mower purchasers for their own use ("End Users") are designed to take only a few minutes to complete.

End Users who provide a declaration of the basic information will receive \$15 *per claimant*. Those who provide additional documentation proving their purchase details and/or the horsepower ratings of their lawn mower(s) will be eligible for between \$15 and \$55 *per lawn mower* depending on the horsepower rating of their lawn mower(s). These amounts are subject to potential proration.

Retailers and distributors of affected lawn mowers ("Upstream Purchasers") can also claim a share of the settlement recoveries. 20% of the Net Settlement Amount has been allocated to an Upstream Purchasers' Fund. Proportionate payments to eligible claimants will be made from the Upstream Purchaser Fund based on the eligible lawn mowers they purchased and their corresponding horsepower ratings.

Payment to class members will be made in accordance with the court-approved Distribution Protocol. The Distribution Protocol contains detailed information about the categories of compensation for consumers and the calculation of compensation for Upstream Purchasers. It can be reviewed at www.lawnmowersettlement.ca.

Pursuant to previous Orders of the courts, the deadline for class members to opt out of the Class Actions was September 17, 2013. If you did not previously opt out, you are eligible to make a claim and are legally bound by the results of the Class Actions.

DOES THIS COST ME ANYTHING?

No. Pursuant to court Orders, the lawyers representing class members have been paid their legal fees and expenses out of the settlement amounts.

For more information, please contact one of the following:

Ontario Class Counsel (representing all provinces and territories, excluding Québec):

- Harrison Pensa ^{LLP} | Tel: 1.800.263.0489 ext. • | lawnmowersettlement@harrisonpensa.com
450 Talbot Street, P.O. Box 3237, London, Ontario, N6A 5J6, Attn: Jonathan Foreman

Québec Class Counsel (representing Québec):

- Consumer Law Group Inc. | Tel: 514.266.7863 ext. 2 | info@clg.org
1030 rue Berri, Suite 102, Montréal, Québec, H2L 4C3, Attn: Jeff Orenstein

Claims Administrator:

- RicePoint Administration Inc. | Tel: 1.866.432.5534 | lawnmower@ricepoint.com
P.O. Box 3355, London, Ontario, N6A 4K3

Schedule "F"

LEGAL NOTICE AUTHORIZED BY THE ONTARIO SUPERIOR COURT OF JUSTICE
AND THE SUPERIOR COURT OF QUÉBEC

DID YOU PURCHASE A LAWN MOWER BETWEEN 1994 AND 2012? YOU MAY BE ENTITLED TO COMPENSATION UNDER A HORSEPOWER LABELLING SETTLEMENT

Court-approved settlements have been reached totalling \$7,535,000. These settlements have been secured on behalf of all persons who purchased certain major brand-name lawn mowers between January 1, 1994 and December 31, 2012.*

YOU MAY NOW MAKE A CLAIM FOR MONEY

To make a claim for money, visit www.lawnmowersettlement.ca to access the online claim portal. There is a speedy and simple online claims process for lawn mower purchasers to claim between \$15 and \$55 per qualifying lawn mower. Retailers and distributors of affected lawn mowers may also claim a portion of the settlement based on their purchase records. See the settlement website for further details regarding the claims process.

All claims must be received by May 22, 2019

FOR FURTHER INFORMATION

visit www.lawnmowersettlement.ca OR call 1-866-432-5534

* Affected lawn mowers were those containing a gas-combustible engine of 30 horsepower or less which was designed, manufactured, or labelled by: Briggs & Stratton, Electrolux, Honda, Husqvarna, John Deere, Kawasaki, Kohler, MTD, Tecumseh, or Toro. A list of affected brand names can be found at www.lawnmowersettlement.ca.

Schedule "G"

LEGAL NOTICE AUTHORIZED BY THE ONTARIO SUPERIOR COURT OF JUSTICE
AND THE SUPERIOR COURT OF QUÉBEC

**DID YOU PURCHASE A LAWN MOWER BETWEEN 1994 AND
2012? YOU MAY BE ENTITLED TO COMPENSATION**

YOU MAY NOW MAKE A CLAIM FOR MONEY

Visit www.lawnmowersettlement.ca to file a claim

Schedule "H"

Canadian Nursery Landscape Association

CNLA Office 7856 Fifth Line South Milton, ON L9T 2X8	Tel: 905-875-1399 OR 1-888-446-3499 Fax: 905-875-1840 OR 1-866-833-8603 Email: info@cnla-acpp.ca
Association quebecoise des producteurs en pepiniere 3230, rue Sicotte Local E-300 Ouest Saint-Hyacinthe, QC J2S 7B3	Tel: 450-774-2228 Fax: 450-774-3556 Email: aqpp@fihq.qc.ca
BC Landscape & Nursery Association 102-5783 176A St. A Surrey, BC V3S 6S6	Tel: 604-575-3500 Fax: 604-574-7773
Manitoba Nursery Landscape Association P.O. Box 1755 Winnipeg, MB R3C 2Z9	Tel: 204-661-6397 Email: info@mbnla.com
Landscape Alberta Nursery Trades Association Saskatchewan Nursery Landscape Association 18051 107 Avenue NW Edmonton, AB T5S 1K3	Tel: 1-800-378-3198 Fax: 780-444-2152 Email: admin@landscape-alberta.com
Landscape New Brunswick and Landscape Prince Edward Island Box 742 Saint John, NB E2L 4B3	Tel: 1-866-752-6862 Email: lnbn@nbnet.nb.ca
Landscape Newfoundland Labrador Box 21328 St. John's, NL A1A 5G6	Tel: 709-726-5651 Fax: 709-726-8441 Email: rebecca@canadanursery.com
Landscape Nova Scotia 7744 St. Margaret's Bay Road Ingramport, NS B3Z 3Z8	Tel: 902-240-0910 Email: info@landscapenovascotia.ca
Landscape Ontario Horticultural Trades Association 7856 Fifth Line South, R.R. #4 Milton, ON L9T 2X8	Tel: 1-800-265-5656 Fax: 905-875-3942 Email: angela@landscapeontario.com

Schedule "I"

Municipal Associations

Union of British Columbia Municipalities 60-10551 Shellbridge Way Richmond, BC V6X 2W9	Tel: 604-270-8226 Fax: 604-270-9116 Email: ubcm@ubcm.ca
Rural Municipalities of Alberta 2510 Sparrow Drive Nisku, AB T9E 8N5	Tel: 780-966-4075 Email: rma@rmaalberta.com
Alberta Urban Municipalities Association 300-8616 51 Ave. Edmonton, AB T6E 6E6	Tel: 780-433-4431 Fax: 780-433-4454 Email: main@auma.ca
Saskatchewan Association of Rural Municipalities 2301 Windsor Park Road Regina, SK S4V 3A4	Tel: 306-757-3577 Fax: 306-565-2141 Email: sarm@sarm.ca
Saskatchewan Urban Municipalities Association #200, 2222 13 th Ave. Regina, SK S4P 3M7	Tel: 306-525-3727 Fax: 306-525-4373 Email: suma@suma.org
Association of Manitoba Municipalities 1910 Saskatchewan Ave. W Portage la Prairie, MB R1N 0P1	Tel: 204-857-8666 Fax: 204-856-2370 Email: jgreen@amm.mb.ca
Association of Municipalities of Ontario 200 University Ave., Suite 801 Toronto, ON M5H 3C6	Tel: 416-971-9856 Fax: 416-971-6191 Email: amo@amo.on.ca
Federation Quebecoise des Municipalites 1134 Grande Allee Ouest Bureau RC 01 Quebec, QC G1S 1E5	Tel: 1-866-951-3343 Fax: 418-651-1127 Email: info@fqm.ca
Union des Municipalites du Quebec 2020, boulevard Robert-Bourassa Bureau 210 Montreal, QC H3A 2A5	Tel: 514-282-7700 Fax: 514-282-8893
Association Francophone des Municipalites du Nouveau-Brunswick 702, rue Principale, bureau 322 Petit-Rocher, NB E8J 1V1	Tel: 506-542-2622 Fax: 506-542-2618 Email: afmnb@afmnb.org
Union of the Municipalities of New Brunswick 302-259 Brunswick Street Fredericton, NB E3B 1G8	Tel: 506-444-2285 Fax: 506-444-2286 Email: umnb@nb.aibn.com
Nova Scotia Federation of Municipalities Suite 1304, 1809 Barrington Street Halifax, NS B3J 3K8	Tel: 902-423-8331 Fax: 902-425-5592 Email: info@nsfm.ca
Federation of Prince Edward Island Municipalities 1 Kirkdale Road Charlottetown, PE C1E 1R3	Tel: 902-566-1493 Fax: 902-566-2880 Email: info@fpeim.ca
Municipalities of Newfoundland & Labrador 460 Torbay Road St. John's, NL A1A 5J3	Tel: 709-753-6820, 1-800-440-6536 Fax: 709-738-0071 Email: info@municipalnl.ca

Association of Yukon Communities 140-2237 2 nd Avenue Whitehorse, YK Y1A 0K7	Tel: 867-668-4388 Fax: 867-668-7574 Email: ayc@northwestel.net
NWT Association of Communities 200, 5105-50 th Street Yellowknife, NT X1A 1S1	Tel: 867-873-8359 Fax: 867-873-3042
Nunavut Association of Municipalities	Tel: 867-975-327 Fax: 867-975-3329 Email: edofnam@northwestel.net

Schedule "J"

Universities and Colleges

ABM College 3880 29 Street NE, Suite 200 Calgary, AB T1Y 6B6	Tel: 403-719-4300 Email: info@abmcollege.com
Academy of Learning Career College 100 York Boulevard, Suite 400 Richmond Hill, ON L4B 1J8	Tel: 1-855-996-9977 Fax: 905-886-8591
Acadia University Wolfville, NS B4P 2R6	Tel: 902-585-1839 Fax: 902-585-1035 Email: marcel.falkenham@acadiau.ca
Alexander College 101-4603 Kingsway Burnaby, BC V5H 4M4	Tel: 604-435-5815 Fax: 604-435-5895
Algoma University 1520 Queen Street East Sault Ste. Marie, ON P6A 2G4	Tel: 705-949-2301 Fax: 705-949-6583 Email: william.goodship@algomau.ca
Algonquin college 1385 Woodroffe Ave. Nepean, ON K2G 1V8	Tel: 613-727-4723 ext 7710 Fax: 613-727-7601
Ambrose University College 150 Ambrose Circle SW Calgary, AB T3H0L5	Tel: 403-410-2000 Email: pbarnett@ambrose.edu
Assiniboine Community College 1430 Victoria Ave East Brandon, MB R7A 2A9	Tel: 204-725-8700 Fax: 204-725-8740 Email: info@assiniboine.net
Athabasca University Facilities Department 1 University Drive Athabasca, AB T9S 3A3	Tel: 780-675-6648 Fax: 780-675-6437 Email: gregw@athabascau.ca
Aurora College 50 Conibear Crescent Fort Smith, NT X0E 0P0	Tel: 1-866-287-655 Email: info@auroracollege.nt.ca
Bethany College, Hepburn 703 2nd Street East Hepburn, SK S0K 1Z0	Tel: 306-947-2175 Email: info@bethany.sk.ca
Bishop's University 2600 College St. Sherbrooke, QC J1M 1Z7	Tel: 819-822-9600 Fax: 819-822-9661
Bow Valley College 345 - 6 Avenue SE Calgary, AB T2G 4V1	Tel: 403-410-1712
Brandon University – Physical Plant 330B - 20th Street Brandon, MB R7A 6A9	Tel: 204-727-9620 Fax: 204-728-5704 Email: harper@brandonu.ca

Briercrest College 510 College Drive Carleton Place, ON L0H 0S0	Tel: 306-756-3200 Fax: 306-756-5500 Email: info@briercrest.ca
Brock University 1812 Sir Isaac Brock Way St. Catharines, ON L2S 3A1	Tel: 905-688-5550 Fax: 905-688-6894
Burman University 6730 University Drive Lacombe, AB T4L 2E5	Tel: 403-782-3381 Email: dbishop@burmanu.ca
Cambrian College 1400 Barry Downe Road Sudbury, ON P3A 3V8	Tel: 1-800-461-7145 Email: info@cambriancollege.ca
Canadian Coast Guard College 1190 Westmount Road Sydney, NS B1R 2J6	Tel: 1-888-582-9090 Fax: 902-567-3233 Email: ccgcregistrar@dfo-mpo.gc.ca
Canadore College 100 College Drive North Bay, ON P1B 8K9	Tel: 704-474-7600 ext 5837 Email: Adam.gallardi@canadorecollege.ca
Cape Breton University P.O. Bo 5300 1250 Grand Lake Road Sydney, NS B1P 6L2	Tel: 902-563-1345 Fax: 902-562-0119 Email: donnie_macisaac@cbu.ca
Capilano University 2055 Purcell Way North Vancouver, BC V7J 3H5	Tel: 604-984-4963 Email: jcook@capilanou.ca
Carleton University – Facilities Management 1125 Colonel By Drive Ottawa, ON K1S 5B6	Tel: 613-520-4475 Email: kevin.lee@carleton.ca
Carlton Trail College – Humboldt 611-17th Street Box 720 Humboldt, SK S0K 2A0	Tel: 306-682-2623 Fax: 306-682-3101 Email: humboldt@carltontrailcollege.com
Cégep Beauce-Appalaches 1055, 116e Rue Saint-Georges, QC G5Y 3G1	Tel: 418-228-8896 Email: info@cegepba.qc.ca
Cégep de Chicoutimi 534, rue Jacques-Cartier Est Chicoutimi, QC G7H 1Z6	Tel: 418-549-9520 Fax: 418-549-1315
Cégep de Drummondville 960, rue Saint-Georges Drummondville, QC J2C 6A2	Tel: 819-478-4671 Email: communications@cegepdummond.ca
Cégep de Granby 235, rue Saint-Jacques, C.P. 7000, Granby, Québec J2G 9H7	Tel: 450-372-6614 Email: info@cegepgranby.qc.ca
Cégep de l'Abitibi-Temiscamingue 341, rue Principale Nord Amos, QC J9T 2L8	Tel: 819-732-5218 Fax: 819-732-3819 Email: nathalie.beaudoin@cegepat.qc.ca

Cégep de la Gaspésie et des Îles 96, rue Jacques-Cartier Gaspé, QC G4X 2S8	Tel: 418-368-2201 Fax: 418-368-7003 Email: information@cegepgim.ca
Cégep de La Pocatière 140, 4e avenue La Pocatière QC G0R 1Z0	Tel: 418-856-1525 Fax: 418-856-4589 Email: information@cegeplapocatiere.qc.ca
Cégep de Lévis-Lauzon 205, route Mgr-Bourget Lévis, QC G6V 6Z9	Tel: 418-833-5110 Fax: 418-833-8502
Cégep de Matane 616, avenue Saint-Rédempteur Matane, QC G4W 1L1	Tel: 418-562-1240 Fax: 418-566-2115
Cégep de Rimouski 60, rue de l'Eveche Ouest Rimouski, QC G5L 4H6	Tel: 418-723-1880 Fax: 418-724-4961
Cégep de Rivière-du-Loup 80, rue Frontenac Rivière-du-Loup, QC G5R 1R1	Tel: 418-862-6903 Fax: 418-862-4959 Email: communications@cegeprdl.ca
Cégep de Sainte-Foy 2410, chemin Sainte-Foy Québec, QC G1V 1T3	Tel: 418-659-6600 Fax: 418-659-4563 Email: info@cegep-ste-foy.qc.ca
Cégep de Saint-Félicien 1105, boulevard Hamel, C.P. 7300 Saint-Félicien, QC G8K 2R8	Tel: 418-679-5412 Email: info@cegepstfe.ca
Cégep de Saint-Hyacinthe 3000, avenue Boullé, Saint-Hyacinthe, QC J2S 1H9	Tel: 450-773-6800 Fax: 450-773-9971 Email: info@cegepsth.qc.ca
Cégep de Saint-Jérôme 455, rue Fournier Saint-Jérôme, QC J7Z 4V2	Tel: 450-436-1580 Fax: 450-436-1756 Email: info@cstj.qc.ca
Cégep de Saint-Laurent 625 Avenue Sainte-Croix Montréal, QC H4L 3X7	Tel: 514-747-6521 Email: info@cegepsl.qc.ca
Cégep de Sept-Îles 175, rue De La Vérendrye Sept-Îles, QC G4R 5B7	Tel: 418-962-9848 Fax: 418-962-2458 Email: communications@cegepsi.ca
Cégep de Sherbrooke 475, rue du Cégep Sherbrooke, QC J1E 4K1	Tel: 819-564-6350 Email: communications@cegepsherbrooke.qc.ca
Cégep de Sorel-Tracy 3000 Boulevard de Tracy Sorel-Tracy, QC J3R 5B9	Tel: 450-742-6651 Fax: 450-742-1878 Email: info@cegepst.qc.ca
Cégep de Thetford 671, boulevard Frontenac Ouest Thetford Mines, QC G6G 1N1	Tel: 418-338-8591 Fax: 418-338-3498 Email: webmestre@cegepthetford.ca
Cégep de Victoriaville 475, rue Notre-Dame Est Victoriaville, QC G6P 4B3	Tel: 819-758-6401 Fax: 819-758-8960 Email: information@cegepvicto.ca

Cégep du Vieux Montréal 255, rue Ontario Est Montréal, QC H2X 1X6	Tel: 514-982-3437 Email: gestionnairew3@cvm.qc.ca
Cégep Édouard-Montpetit 945 Chemin de Chambly Longueuil, QC J4H 4A9	Tel: 450-679-2631 Email: communications@cegepmontpetit.ca
Cégep Garneau 1660, boulevard de l'Entente Québec, QC G1S 4S3	Tel: 418-688-8310 Fax: 418-688-1539 Email: communications@cegepgarneau.ca
Cégep Gérald-Godin 15615, boulevard Gouin Ouest Montréal, QC H9H 5K8	Tel: 514-626-2666 Fax: 514-626-8508 Email: information@cgodin.qc.ca
Cégep Limoilou 1300, 3d Avenue Quebec Quebec, QC G1J 5L5	Tel: 418-647-6600 Fax: 418-647-6798
Cégep Marie-Victorin 7000, rue Marie-Victorin Montréal, QC H1G 2J6	Tel: 514-325-0150 Fax: 514-328-3830 Email: promotion@collegemv.qc.ca
Cégep régional de Lanaudière 781, rue Notre-Dame Repentigny, QC J5Y 1B4	Tel: 450-470-0911 Fax: 450-581-2217
Cégep Saint-Jean-sur-Richelieu 30, boulevard du Séminaire Nord Saint-Jean-sur-Richelieu, QC J3B 5J4	Tel: 450-347-5301 Email: communications@cstjean.qc.ca
Cégep Trois-Rivières 3500, rue de Courval, C.P. 97 G9A 5E6	Tel: 819-376-1721 Fax: 819-693-8023 Email: webmestre@cegeptr.qc.ca
Centennial College P.O. Box 631 Station A Toronto, ON M1K 5E9	Tel: 416-289-5000 Fax: 416-289-5279
Champlain Regional College 1301 Portland Blvd. Sherbrooke, QC J1J 1S2	Tel: 819-564-3600 Fax: 819-564-5171 Email: info@crc-lennox.qc.ca
Coast Mountain College 4815 Swannell Drive Box 338 Hazelton, BC V0J 1Y0	Tel: 250-842-5291 Fax: 250-842-5813
College Ahuntsic 9155, rue Saint-Hubert Montréal, QC H2M 1Y8	Tel: 514-389-5921 Email: information@collegeahuntsic.qc.ca
College Boreal 355 Wellington Street, Galleria Mall, Suite 279 London, ON N6A 3N7	Tel: 1-800-361-6673 Email: info@collegeboreal.ca
Collège communautaire du Nouveau-Brunswick C.P. 266 725, rue du College Bathurst, NB E2A 3Z2	Tel: 506-547-2145 Fax: 506-547-7674 Email: bathurst@ccnb.ca

College d'Alma 675, boulevard Auger Ouest Alma, QC G8B 2B7	Tel: 418-668-2387 Fax: 418-668-3806 Email: site@collegealma.ca
Collège de Bois-de-Boulogne 10555, avenue de Bois-de-Boulogne Montréal, QC H4N 1L4	Tel: 514-332-3000 Email: info@bdeb.qc.ca
Collège de l'Île 48, Mill road. P.O. Box 159 Wellington, PEI C0B 2E0	Tel: 902-854-3010 Fax: 902-854-3011 Email: info@collegedelife.ca
College de Maisonneuve 3800, rue Sherbrooke Est Montreal, QC H1X 2A2	Tel: 514-254-7131 Email: communic@cmaisonneuve.qc.ca
College de Rosemont 6400, 16e Avenue Montréal, QC H1X 2S9	Tel: 514-376-1620 Fax: 514-376-1440
Collège de Valleyfield 169, rue Champlain Salaberry-de-Valleyfield, QC J6T 1X6	Tel: 450-373-9441 Fax: 450-373-7719 Email: communication@colval.qc.ca
Collège Lionel-Groulx 100, rue Duquet Sainte-Thérèse, QC J7E 3G6	Tel: 450-430-3120 Fax: 450-971-7883 Email: info@clg.qc.ca
College Mathieu 308 1 Ave East Gravelbourg SK S0H 1X0	Tel: 306-648-3491 Fax: 306-648-2295
Collège Montmorency 475, boulevard de l'Avenir Laval, QC H7N 5H9	Tel: 450-975-6100 Email: dg@cmontmorency.qc.ca
Collège nordique francophone 4921-49th Street Bureau P.O. Box 986 Stn Main Yellowknife, NT X1A 2N7	Tel: 867-920-7017 Fax: 867-920-7017 Email: admin@college-nordique.com
College of New Caledonia 3330 22nd Avenue Prince George, BC V2N 1P8	Tel: 250-562-2131 Email: bellj6@cnc.bc.ca
College of the North Atlantic 1 Prince Philip Drive St. John's, NL A1C 5P7	Tel: 709-758-7284 Fax: 709-758-7304
Collège Shawinigan 2263, avenue du Collège, C.P. 610 Shawinigan, QC G9N 6V8	Tel: 819-539-6401 Fax: 819-539-8819 Email: information@collegeshawinigan.qc.ca
Concordia University – Facilities Management 1550 De Maisonneuve Blvd. W. Montreal, QC H3G 1N2	Tel: 514-848-2424 ext. 2400 Email: call2400@concordia.ca
Conestoga College 299 Doon Valley Drive Kitchener, ON N2G 4M4	Tel: 519-748-5220 ext 3329 Fax: 519-748-3551

Confederation College 1450 Nakina Drive P.O. Box 398 Thunder Bay, ON P7C 4W1	Tel: 807-475-6687 Email: Rick.Sitarski@confederationcollege.ca
Cumberland College 400 Burns Avenue East Melfort, SK S0E 1A0	Tel: 306-752-2786 Fax: 306-752-3484
Dalhousie University Halifax, NS B3H 4R2	Tel: 902-494-2211 Email: Michael.Power@Dal.Ca
Dawson College 3040 Sherbrooke St. W, Montreal, QC H3Z 1A4	Tel: 514-931-8731 Email: wbshum@dawsoncollege.qc.ca
Dominican University College 96 Empress Ave Ottawa, ON K1R 7G3	Tel: 613-233-5696 Fax: 613-233-6064 Email: info@dominicanu.ca
Durham College 2000 Simcoe Street North Oshawa, ON L1G 0C5	Tel: 905-721-2000 Email: dccares@durhamcollege.ca
École nationale d'administration publique 555, boul. Charest Est Québec, QC G1K 9E5	Tel: 418-641-3000 Fax: 418-641-3060 Email: info@enap.ca
Emily Carr University of Art + Design 520 East 1st Avenue Vancouver, BC V5T 0H2	Tel: 604-844-3800 Email: reception@ecuad.ca
Eston College 730 1st Street Southeast Eston, SK S0L 1A0	Tel: 306-962-3621 Email: info@estoncollege.ca
Fanshawe College 1001 Fanshawe College Blvd London, ON N5Y 5R6	Tel: 519-452-4401 Email: mdietze@fanshawec.ca
First Nations University of Canada 1 First Nations Way Regina, SK S4S 7K2	Tel: 306-790-5950 Fax: 306-790-5999
Fleming College 599 Brealey Drive Peterborough, ON K9J 7B1	Tel: 705-749-5530 Email: facilities@flemingcollege.ca
George Brown College P.O. Box 1015, Station B Toronto, ON M5T 2T9	Tel: 416-415-5000 ext 4300 Email: ask.george@georgebrown.ca
Georgian College One Georgian Drive Barrie, ON L4M 3X9	Tel: 705-728-1968 ext 3708 Email: inquire@georgiancollege.ca
Great Plains College 129 e Ave Northeast Swift Current, SK S9H 4G3	Tel: 866-296-2472 Email: info@greatplainscollege.ca
HEC Montreal 3000 Côte-Sainte-Catherine Road Montréal, QC H3T 2A7	Tel: 514-340-6000 Email: johanne.massicotte@hec.ca

Heritage College 325, boul. Cité des Jeunes Gatineau, QC J8Y 6T3	Tel: 819-778-2270 Fax: 819-778-7364
Holland College 140 Weymouth Street Charlottetown, PE C1A 4Z1	Tel: 902-629-4217 Fax: 902-629-4239 Email: info@hollandcollege.com
Horizon College and Seminary 1303 Jackson Ave Saskatoon, SK S7H 2M9	Tel: 306-374-6655 Fax: 306-373-6968 Email: info@horizon.edu
Humber College 205 Humber College Blvd Toronto, ON M9W 5L7	Tel: 416-675-6622 ext 4444 Email: enquiry@humber.ca
John Abbott College 21 275 Lakeshore Road Sainte-Anne-de-Bellevue, QC H9X 3L9	Tel: 514-457-6610 Fax: 514-457-4730 Email: communications@johnabbott.qc.ca
Keyano College 8115 Franklin Avenue Fort McMurray, AB T9H 2H7	Tel: 780-791-4800 Fax: 780-791-4952
Kwantlen Polytechnic University 12666 72 Ave Surrey, BC V3W 2M8	Tel: 604-599-2000 Email: facilities@kpu.ca
Lakehead University 955 Oliver Road Thunder Bay, ON P7B 5E1	Tel: 807-343-8110 Fax: 807-343-8023 Email: tbay@lakeheadu.ca
Lakeland College 5707 College Drive Vermilion, AB, T9X 1K5	Tel: 1-800-661-6490 Email: admissions@lakelandcollege.ca
Lambton College 1457 London Road Sarnia, ON N7S 6K4	Tel: 519-542-7751 Ext 3478 Email: Cheryl.renaud@lambtoncollege.ca
Langara College 100 West 49th Avenue Vancouver, BC V5Y 2Z6	Tel: 604-323-5511 Email: facilities@langara.ca
Laurentian University 935 Ramsey Lake Road Sudbury, ON P3E 2C6	Tel: 705-673-6561 Fax: 705-673-6515 Email: maintenance@laurentian.ca
Lethbridge College 3000 College Drive South Lethbridge AB T1K 1L6	Tel: 403-320-3223 Email: facilities@lethbridgecollege.ca
Loyalist college 376 Wallbridge-Loyalist Belleville, ON K8N 5B9	Tel: 613-969-1913 ext 2100 Fax: 613-962-0633 Email: Info@loyalistcollege.com
MacEwan University PO Box 1796 Edmonton, AB T5J 2P2	Tel: 780-497-5040 Fax: 780-467-5001 Email: info@macewan.ca
Maritime Christian College 503 University Ave. Charlottetown, PE C1A 7Z4	Tel: 902-628-8887 Fax: 902-892-3959 Email: registrar@mccpei.com

Maritime College of Forest Technology 1350 Regent Street Fredericton, NB E3C 2G6	Fax: 506-458-0679 Email: info@mcft.ca
McGill University – Facilities Operations 1010 Sherbrooke St. West 10th Floor Montreal, QC H3A 2R7	Tel: 514-398-6205 Email: george.lazaris@mcgill.ca
McKenzie College 100 Cameron Street, Suite 101 Moncton, NB E1C 5Y6	Tel: 506-384-6460 Fax: 506-384-6224 Email: info@mckenzie.edu
McMaster University – Facility Services 1280 Main Street West Hamilton, ON L8S 4L8	Tel: 905-525-9140 Fax: 905-572-6990 Email: macdoncr@mcmaster.ca
Medicine Hat College 299 College Drive SE Medicine Hat, AB T1A 3Y6	Tel: 403-529-3811 Fax: 403-504-3517 Email: facilityoperations@mhc.ab.ca
Memorial University PO Bo 4200 St. John's, NL A2C 5S7	Tel: 709-864-8000 Email: jboland@mun.ca
Mohawk College 135 Fennell Avenue West Hamilton, ON L9C 0E5	Tel: 905-575-1212 Email: sustainability@mohawkcollege.ca
Mount Allison University 62 York St. Sackville, NB E4L 1E2	Tel: 506-364-2242 Email: fixit@mta.ca
Mount Royal University 4825 Mount Royal Gate SW Calgary, AB T3E 6K6	Tel: 403-440-6417 Email: fm@mtroyal.ca
Mount Saint Vincent University 166 Bedford Highway, Halifax, NS B3M 2J6	Tel: 902-457-6788 Fax: 902-445-3099 Email: catherine.deveau@msvu.ca
New Brunswick Bible Institute 2335 Route 103 Victoria Corner, NB E7P 1C7	Tel: 506-375-9000 Fax: 506-375-1800
New Brunswick Community College 26 Duffie Drive Fredericton, NB E3B 0R6	Tel: 506-453-3641 Fax: 506-453-7944 Email: collegeworks@nbcc.ca
Niagara College 100 Niagara College Blvd Welland, ON L3C 7L3	Tel: 905-735-2211 ext 7559 Email: infor@niagaracollege.ca
Nipawin Bible College Box 1986 Nipawin, SK S0E 1E0	Tel: 888-862-5095 Email: Info@nipawin.org
Nipissing University 100 College Drive, Box 5002 North Bay, ON P1B 8L7	Tel: 705-474-3450 Fax: 705-474-1947 Email: nuinfo@nipissingu.ca

Norquest College Room A104, Civic Employees Legacy Tower 10215 108 Street NW Edmonton, AB Canada T5J 1L6	Tel: 780-644-6000 Fax: 780-644-6013 Email: info@norquest.ca
North Island College 2300 Ryan Road Courtenay, BC V9N 8N6	Tel: 250-334-5000 Email: Samuel.knowles@nic.bc.ca
North West College 10702 Diefenback drive North Battleford, SK S9A 4A8	Tel: 306-937-5100 Fax: 306-445-1575
Northern Alberta Institute of Technology 11762 - 106 Street Edmonton, Alberta, Canada, T5G 2R1	Tel: 780-471-7566 Fax: 780-471-8490 Email: maintenance@nait.ca
Northern college 4715 Highway 101 East South Porcupine, ON P0N 1H0	Tel: 705-235-3211 Fax: 705-235-7279
Northland College 120 King Crescent Creighton, SK S0P 0A0	Tel: 306-688-8838 Fax: 306-688-7710
NSCAD University 5163 Duke Street Halifax, NS B3J 3J6	Tel: 902-444-9600 Fax: 902-425-2420 Email: info@nscad.ca
Nunavut Arctic College P.O. Box 600 Iqaluit, NU X0A 0H0	Tel: 867-979-7200 Email: nunatta@arcticcollege.ca
OCAD 100 McCaul Street Toronto, ON M5T 1W1	Tel: 416-977-6000 Email: rconnoy@ocadu.ca
Okanagan College 1000 KLO Road Kelowna, BC V1Y 4X8	Tel: 250-862-5601 Email: dpeterson@okanagan.bc.ca
Olds College 4500 - 50th Street Olds, AB T4H 1R6	Tel: 403-556-8281 Fax: 403-556-4711 Email: info@oldscollge.ca
Oulton College 4 Flanders Court Moncton, NB E1C 0K6	Tel: 506-858-9696 Fax: 506-858-8490 Email: info@ultoncollege.com
Parkland College 273 Dracup Avenue North Yorkton, SK S3N 4H8	Tel: 306-786-2760 Email: info@parklandcollege.sk.ca
Prairie College Box 4000 350 5th Ave, NE Three Hills, AB T0M 2N0	Tel: 403-443-5511 Fax: 403-443-5540 Email: info@prarie.edu
Queen's University 99 University Avenue Kingston, ON K7L 3N6	Tel: 613-533-6075 Email: tracy.elliott@queensu.ca

Red Deer College 100 College Boulevard P.O. Box 5005 Red Deer AB T4N 5H5	Tel: 403-342-3400 Fax: 403-357-3660 Email: inquire@rdc.ab.ca
Red River College 2055 Notre Dame Ave Winnipeg, MB R3H 0J9	Tel: 201-632-2581 Email: clloyd@rrc.ca
Robertson College 265 Notre Dame Ave Winnipeg, MB R3B 1N9	Tel: 204-943-5661 Fax: 204-96-8320 Email: info@robertsoncollege.com
Royal Military College of Canada PO Box 17000, Station Forces Kingston, ON K7K 7B4	Tel: 613-541-6000 Email: liaison@rmc.ca
Royal Roads University 2005 Sooke Road Victoria, BC V9B 5Y2	Tel: 250-391-2511 Fax: 250-391-2500 Email: paul.allison@royalroads.ca
Ryerson University Campus Facilities & Sustainability 111 Bond Street Toronto, ON M5B 1Y2	Tel: 416-979-5091 Fax: 416-979-5248 Email: doit@ryerson.ca Email: fixit@ryerson.ca
Saint Francis Xavier University – Facilities Management 5005 Chapel Square Antigonish, NS B2G 2W5	Tel: 902-867-2149 Fax: 902-867-5305 Email: fm@stfx.ca
Saint Mary's University – Facilities Management 923 Robie Street, Halifax, NS B3H 3C3	Tel: 902-420-5572 Email: facilities.management@smu.ca
Saint Paul University 223 Main Street Ottawa, ON K1S 1C4	Tel: 613-236-1393 Fax: 613-782-3005 Email: mdrapeau@ustpaul.ca
Saskatchewan Indian Institute of Technologies 118-335 Packman Avenue Asimakaniseekan Askiy Reserve Saskatoon, SK S7N 4S1	Tel: 306-373-4777 Fax: 306-373-4977
Saskatchewan Polytechnic 1130 Idylwyld Drive North Saskatoon, SK S7K 3R5	Tel: 306-659-4031 Email: Linda.adamus@saskpolytech.ca
Sault College 443 Northern Avenue Sault Ste. Marie, ON	Tel: 705-759-2554 Fax: 705-759-1319
Seneca College 1750 Finch Ave East North York, ON M3J 2X5	Tel: 416-491-5050 Fax: 416.235.0462
Sheridan College 1430 Trafalgar Road Oakville, ON L6H 2L1	Tel: 905-845-9430 Email: infosheridan@sheridancollege.ca
Simon Fraser University 8888 University Drive Burnaby, BC V5A 1S^	Tel: 778-782-4339 Email: dduff@sfu.ca

Southeast College 633 King Street Weyburn, SK S4H 2S5	Tel: 306-848-2500 Fax: 306-848-2517
Southern Alberta Institute of Technology 1301-16 Avenue NW Calgary, AB T2M 0L4	Tel: 1-877-284-7248 Fax: 403-284-7112
St. Clair College 200 Talbot Road West Windsor, ON N9A 6S4	Tel: 519-972-2727 ext. 4308 Fax: 519-972-2754 Email: ppanzica@stclaircollege.ca
St. Lawrence College 100 Portsmouth Avenue Kingston, ON K7L 5A6	Tel: 613-544-5400 Fax: 613-545-3923
St. Thomas University 51 Dineen Drive Fredericton, NB E3B 5G3	Tel: 506-452-0640 Fax: 506-450-9615
The Gaelic College 51779 Cabot Trail, St. Ann's P.O. Box 80 Englishtown, NS B0C 1H0	Tel: 902-295-3411 Fax: 902-295-2912 Email: info@gaeliccollege.edu
The King's University College 9125 - 50 Street Edmonton, Alberta T6B 2H3 Canada	Tel: 780-465-3500 Fax: 780-465-3534
Thompson Rivers University 805 TRU Way Kamloops, BC V2C 0C8	Tel: 250-828-5000 Email: facilities@tru.ca
Trent University 1600 West Bank Drive Peterborough, ON K9L 0G2	Tel: 705-748-1011 Email: davidgrove@trentu.ca
Université de Moncton 18, avenue Antonine-Maillet Moncton, NB E1A 3E9	Tel: 506-858-4000 Email: info@umoncton.ca
Université de Montréal 2900, boul. Édouard-Montpetit Montréal, QC H3T 1J4	Tel: 514-343-6111 Email: jose.bastien@umontreal.ca
Université de Saint-Boniface 200 De la Cathédrale Avenue Winnipeg, MB R2H 0H7	Tel: 204-237-1818 Fax: 204-237-3240 Email: info@ustboniface.ca
Université du Québec à Montréal Case postale 8888, succursale Centre-ville Montréal, QC H3C 3P8	Tel: 514-987-3000 Email: general@uqam.ca
Université du Québec en Abitibi-Témiscamingue 445, Boulevard de l'Université Rouyn-Noranda, QC J9X 5E4	Tel: 819-762-0971 Fax: 819-797-4727
Université Laval 2325, rue de l'Université Québec, QC G1V 0A6	Tel: 418-656-2131 Email: info@ulaval.ca

Université Sainte-Anne 1695, Highway 1 Church Point, NS B0W 1M0	Tel: 902-769-2114 Email: admission@usainteanne.ca
University College of the North Box 3000 The Pas, MB R9A 1M7	Tel: 204-627-8500 Email: admissions@ucn.ca
University of Alberta Landscape Maintenance and Construction 4 th Floor General Services Building Edmonton, AB T6G 2H1	Email: wamundso@ualberta.ca Email: npowley@ualberta.ca
University of British Columbia UBC Building Operations University Services Building 2329 West Mall Vancouver, BC V6T 1Z4	Tel: 250-807-9106 Fax: 250-807-9178 Email: allan.king@ubc.ca
University of Calgary – Facilities Management 2500 University Drive NW Calgary, AB T2N 1N4	Tel: 403-220-7555 Fax: 403-220-1172 Email: fmdcustomercare@ucalgary.ca
University of Guelph 50 Stone Road E Guelph, ON N1G 2W1	Tel: 519-824-4120 ext. 52053 Email: johnre@pr.uoguelph.ca
University of King's College 6350 Coburg Road, Halifax, NS B3H 2A1	Tel: 902-422-1271 Fax: 902-423-3357 Email: admissions@ukings.ca
University of Lethbridge – Facilities – Grounds 4401 University Drive W Lethbridge, AB T1K 6T5	Tel: 403-329-2602 Fax: 403-332-4511
University of Manitoba – Grounds and General Services 66 Chancellors Cir. Winnipeg, MB R3T 2N2	Tel: 204-474-6286 Email: lyle.morin@ad.umanitoba.ca
University of New Brunswick 725 College Street Bathurst, NB E2A 4B9	Tel: 506-453-4889 Email: fm@unb.ca
University of Northern British Columbia Operations & Maintenance 3333 University Way Prince George, BC V2N 4Z9	Tel: 250-960-6400 Fax: 250-960-5552 Email: crooks@unbc.ca
University of Ontario Institute of Technology 2000 Simcoe Street North Oshawa, ON L1G 0C5	Tel: 905-721-8668 Fax: 905-721-3178 Email: Suzanne.chasse@dc-uoit.ca
University of Ottawa Technical Services, Operations, and Maintenance 141 Louis Pasteur Ottawa, ON K1N 6N5	Tel: 613-562-5800 ext. 7049 Fax: 613-562-5182 Email: amichaud@uottawa.ca
University of Prince Edward Island 550 University Ave. Charlottetown, PE C1A 4P3	Tel: 902-566-0586 Email: jdallaire@upe.ca

University of Regina – Facilities Management 3737 Wascana Pkwy Regina, SK S4S 0A2	Tel: 306-585-4419 Email: emmet.boyle@uregina.ca
University of Saskatchewan – Grounds Department 105 Administration Place Saskatoon, SK S7N 5A2	Tel: 306-966-4496 Fax: 306-966-4080 Email: facilities.support@usask.ca
University of the Fraser Valley 33844 King Road Abbotsford, BC V2S 7M8	Tel: 604-504-7441 Email: info@ufv.ca
University of Toronto Building Services, Grounds and Trades 255 McCaul Street, 4 th Floor Toronto, ON M5T 1W7	Tel: 416-978-2314 Email: mk.simpson@utoronto.ca
University of Victoria – Facilities Management 3800 Finnerty Road Victoria, BC V8P 5C2	Tel: 250-721-7591 Fax: 250-721-8999 Email: bridegens@uvic.ca
University of Waterloo – Plant Operations 200 University Ave W Waterloo, ON N2L 3G1	Tel: 519-888-4567 ext. 84010 Email: lpvandon@uwaterloo.ca
University of Windsor 401 Sunset Ave Windsor, ON N9B 3P4	Tel: 519-253-3000 ext. 3297 Email: gmoore@uwindsor.ca
University of Winnipeg 515 Portage Ave. Winnipeg, MB R3B 2E9	Tel: 204-988-7187 Email: m.thul@uwinnipeg.ca
Vancouver Island University 900 Fifth Street Nanaimo, BC V9R 5S5	Tel: 250-753-3245 Email: facility@viu.ca
Vanier College 821 Avenue Sainte-Croix Montreal, QC H4L 3X9	Tel: 514-744-7500 Fax: 514-744-7505 Email: info@vaniercollege.qc.ca
Western Academy Broadcasting College 1222 Alberta Ave Saskatoon, SK S7K 1R4	Tel: 306-665-1771 Email: wabc@shaw.ca
Western University Facilities Management – Grounds Maintenance Support Services Building, UWO London, ON N6G 1G9	Tel: 519-661-3304 Email: fm-help@uwo.ca
Wilfrid Laurier University 75 University Avenue West Waterloo, ON N2L 3C5	Tel: 519-884-1970 Email: eoliveira@wlu.ca
York University Grounds, Fleet & Waste Management 10 Rideau Road Physical Resources Building, 1066	Tel: 416-736-5316 Fax: 416-650-8218 Email: dds@yorku.ca
Yukon College 500 College Drive PO Box 2799 Whitehorse, Yukon Y1A 5K4	Tel: 867-668-8886 Email: rspinks@yukoncollege.yk.ca

Schedule "K"

Golf Course Associations

Canadian Golf Superintendents Association 5399 Eglinton Avenue West, Suite 201 Etobicoke, ON M9C 5K6	Tel: 416-626-8873 Fax: 416-626-1958 Email: cgsa@golfsupers.com
Western Canada Turfgrass Association P.O. 698 Hope, BC V0X 2L0	Tel: 604-869-9282 Fax: 1-866-366-5097 Email: admin@wctaturf.com
British Columbia Golf Superintendents Association 6382 Herons Place Duncan, BC V9L 6Z3	Tel: 778-422-1776 Fax: 778-422-1776 Email: admin@bcgsa.com
Alberta Golf Superintendents Association PO Box 3857 Olds, AB T4H 1P5	Tel: 587-796-1094
Manitoba Golf Superintendents Association Executive Director – Ian Martinusen Box 55041 Dakota Crossing, MB R2N 0A8	Tel: 204-326-3460 Fax: 204-500-0750 Email: info@mgsa.mb.ca
Ontario Golf Superintendents Association 328 Victoria Road South Guelph, ON N1L 0H2	Tel: 519-767-3341 Fax: 519-766-1704 Email: admin@ogsa.ca
Association des Surintendants de Golf du Quebec 1370, Rue Notre-Dame Ouest Montreal, QC H3C 1K8	Tel: 514-285-4874 Fax: 514-282-4292 Email: info@asgq.org
Atlantic Golf Superintendents Association 133 Robin Row New Glasgow, NS B2H 5Y6	Tel: 902-483-5931 Email: 1967agsa@gmail.com

ROBERT FOSTER, et al.
Plaintiffs

v.

SEARS CANADA INC, et al.
Defendants

Court File No. 766-2010 CP

ONTARIO
SUPERIOR COURT OF JUSTICE

PROCEEDINGS COMMENCED AT LONDON

Proceeding Under the *Class Proceedings Act, 1992*

ORDER

(Motion for Settlement Administration Approval)

HARRISON PENSEA ^{LLP}
Barristers & Solicitors
450 Talbot Street
London, ON N6A 5J6

Jonathan J. Foreman (LSO #45087H)
Tel: (519) 679-9660
Fax: (519) 667-3362
E-mail: jforeman@harrisonpensa.com

Lawyers for the Plaintiffs

Court File No. 766-2010 CP

ROBERT FOSTER, et al.
Plaintiff

v. SEARS CANADA INC, et al.
Defendants

**ONTARIO
SUPERIOR COURT OF JUSTICE**

PROCEEDINGS COMMENCED AT LONDON

Proceeding Under the *Class Proceedings Act*, 1992

AFFIDAVIT OF SARAH BOWDEN
(Motion for Approval of the Distribution of Residual
Settlement Funds)

**FOREMAN & COMPANY
PROFESSIONAL CORPORATION**
4 Covent Market Place
London, ON N6A 1E2

Jonathan J. Foreman (LSO# 45087H)
Tel: 519.914.1175
Fax: 226.884.5340
E-mail: jforeman@foremancompany.com

Lawyer for the Plaintiff

FOSTER et al.

v.

SEARS CANADA et al.

Plaintiffs

Defendants

Cou

ONTARIO
SUPERIOR COURT OF JUSTICE

PROCEEDINGS COMMENCED AT

ORDER
(Motion for Approval of the Distribution of the
Residual Settlement Fund)

FOREMAN & COMPANY
PROFESSIONAL CORPORATION
4 Covent Market Place
London, ON N6A 1E2

Jonathan J. Foreman (LSO# 450871)
Tel: 519.914.1175
Fax: 226.884.5340
E-mail: jforeman@foremancompany.com

Lawyers for the Plaintiffs