

NOTICE OF SETTLEMENT OF THE DONATION PROGRAM FOR MEDICAL SCIENCE AND TECHNOLOGY CLASS ACTION

Read this notice carefully as it may affect your rights.

This notice is directed to all persons and entities, excluding certain persons associated with the Defendants who participated in the Donation Program for Medical Science and Technology in at least one of the taxation years 2001, 2002 or 2003 (the “Class Members”).

On March 11, 2011, a proposed class action was commenced in Toronto (the "Action"). The Plaintiffs allege that Fraser Milner Casgrain LLP, BDO Dunwoody LLP and others (collectively, the “Defendants”) provided tax opinions used to promote leveraged charitable donations to the John McKellar Charitable Foundation.

The proposed settlement of the Action was approved by Justice Glustein on May 15, 2019. This notice provides a summary of the terms of the settlement.

Persons eligible to participate in the settlement are Class Members who did not opt out of the Action.

SUMMARY OF THE TERMS OF THE SETTLEMENT

The Defendants will pay \$37 million, in full and final settlement of all claims, to be distributed in accordance with the following priorities:

- (a) \$12,596,897 to the lawyers for the Class for fees, out of pocket expenses and taxes;
- (b) \$372,000 to the Class Proceedings Fund to repay the amount advanced to pay part of the costs of the action;
- (c) all costs and expenses incurred in the administration of the settlement, including the costs of Epiq Class Action Services Canada, Inc. and Gregory D. Wigglesworth of Kirwin Partners LLP, the Court appointed Administrator and Referee respectively; and
- (d) a pro rata share of the balance to each Class Member in accordance with the Court-approved claims process and Plan of Allocation, less the 10% levy to the Class Proceedings Fund.

The Settlement Agreement, the Plan of Allocation and a description of the claims process may be viewed at www.strosbergco.com/class-actions/trinity.

**A CLAIM FOR COMPENSATION MUST BE MADE BY 5:00 PM EASTERN STANDARD TIME ON
DECEMBER 31, 2019**

Each Class Member must submit a completed Claim Form on or before 5:00 p.m. eastern standard time on December 31, 2019 in order to participate in the settlement. The Claim Form can be accessed or downloaded at www.trinityclassaction.com or obtained by calling the Administrator at 1-833-414-8042. If you do not submit a completed Claim Form by 5:00 p.m. eastern standard time on December 31, 2019, you will not receive any compensation.

The Claim Form should be submitted to the Administrator by using the secure Online Claims System at www.trinityclassaction.com or by e-mail to info@trinityclassaction.com. You may submit a paper Claim Form only if you do not have internet access. The paper Claim Form may be sent by mail or courier to:

Trinity Class Action Settlement Claims Administrator
Nelson P.O. Box 20187 – 322 Rideau Street
Ottawa ON K1N 5Y5
Or by fax to: 1-866-262-0816

QUESTIONS

Questions for the lawyers for the Class should be directed to:

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**This notice has been approved by the Court. Questions regarding this notice should
NOT be directed to the Court**