

**DRAFT NOTICE**

**NOTICE OF SETTLEMENT PRE-86/POST-90 HEPATITIS C CLASS ACTIONS**

**The Settlement**

The Government of Canada has agreed to settle several Class Action lawsuits commenced on behalf of people who became infected with the Hepatitis C virus from receiving Blood and Blood Products in Canada prior to 1986 and after July 1, 1990. The proposed Settlement is not yet final and must be approved by the Courts. Courts in British Columbia, Alberta, Ontario and Quebec will hold public hearings to approve the Settlement. Class Members and their families are entitled to give their views on the fairness of the Settlement to the Courts. If the Courts approve the Settlement, further notices will be mailed to Class Members, posted on the Internet and published in newspapers explaining how Class Members may apply for compensation under the Settlement or choose to be excluded from the Settlement.

To settle the lawsuits, the Government of Canada has agreed to establish a Compensation Fund in the amount of \$ 962 million. People primarily or secondarily infected with Hepatitis C as a result of Blood received in Canada during the period from January 1, 1958 to December 31, 1985 and the period from July 2, 1990 to September 28, 1998 may apply for compensation under the Settlement. Estates of infected Class Members who have died, family members of infected Class Members, and dependants of infected Class Members whose death was caused by their infection with the Hepatitis C virus may also apply for compensation.

Under the terms of the Settlement, the Government does not admit liability.

Approved claimants will receive lump sum compensation based upon their age, current disease level and the probability of disease progression in the future. Compensation is also available for people who have lost income or household services as a result of their infection with Hepatitis C; for estates of infected Class Members who have died, and for dependants of claimants whose death was caused by their infection with the Hepatitis C virus. If the Settlement is approved by the Courts, Class Members should be able to apply to receive compensation from the Settlement in the first half of 2007.

At the Settlement approval hearings, Class Counsel will request that their legal fees of approximately \$37.29 million (plus GST and PST, where applicable) be approved by the Courts. The Government of Canada has agreed to add that amount to the settlement fund, as well as an amount for the administration of the settlement, so that no legal fees or administration expenses will be deducted from the \$962 million negotiated for Class Member compensation.

To read a complete version of the Settlement Agreement and for more information please visit: [www.pre86hepc.com](http://www.pre86hepc.com)

The Courts in Québec, Alberta, Ontario and British Columbia must still approve the settlement. Hearings will be held in the following cities on the following dates:

Toronto [Insert date and place]	Vancouver [Insert date and place]
Montreal [Insert date and place]	Edmonton [Insert date and place]

**How to Comment on the Proposed Settlement**

Class members who wish to make submissions to the Court in support of or in opposition to the Settlement or class counsel fees should provide notice to the court by sending a written

submission to the address below. Class members should choose where to send their submissions based on where they live. Submissions are optional and must be made no later than three business days prior to the applicable hearing date. The written submissions should include:

- the Class Member's name, address and telephone number;
- the date and place that the class member received Hepatitis C contaminated blood;
- if the Class Member is secondarily infected, the date and place that the primarily infected person received Hepatitis C contaminated blood;
- a brief statement of the reasons that the Class Member is supporting or opposing the Settlement;
- whether the Class Member plans to attend at the Settlement approval hearing.

The Representative Plaintiffs and their lawyers in each jurisdiction will all recommend that the Courts approve the proposed Settlement.

**More Information**

Please do not contact the Court or the Government of Canada directly about this Settlement as they are not permitted by law to answer your questions. For more information about this Settlement or these class actions, please contact:

<p><b>Residents of Quebec</b></p> <p>Lauzon Belanger</p> <p>Insert address and phone number</p>	<p><b>Residents of Alberta</b></p> <p>Kolthammer Batchelor &amp; Laidlaw LLP</p> <p>Marshall Attorneys</p> <p>Docken &amp; Company</p> <p>Insert addresses and phone numbers</p>
<p><b>Residents of British Columbia</b></p> <p>Klein Lyons</p> <p>Insert address and phone number</p>	<p><b>Residents of Ontario, Saskatchewan, Manitoba, the Atlantic Provinces, the Territories and persons residing outside of Canada</b></p> <p>Roy Elliott Kim O'Connor LLP</p> <p>Insert address and phone number</p>