

NOTICE OF SETTLEMENT APPROVAL OF THE SUNRISE PROPANE CLASS ACTION

This Notice may affect your rights. Please read carefully.

PURPOSE OF THIS NOTICE

This action arises out of a series of explosions (the “Explosions”) which occurred at the Sunrise Propane distribution plant located on 48/54/62 Murray Road in the City of Toronto (the “Facility”) on August 10, 2008.

This notice is directed to all Class Members who were present or owned or leased or rented or occupied properties located within the area in the City of Toronto bounded by Keele Street, Highway 401, Sheppard Avenue and Dufferin Street (“Class Area”) when the Explosions occurred on August 10, 2008 at the Facility, excluding the defendants and third parties, and excluding the defendants’ and third parties’ officers, directors, servants, employees or agents.

On August 7, 2014, the settlement was approved by a judge of the Ontario Superior Court of Justice. The defendants and third parties will pay the sum of \$23,345,000 in full and final settlement of all claims in this action in return for a release and a dismissal of the class action. The defendants do not admit any wrongdoing or liability. This settlement is a compromise of disputed claims.

SUMMARY OF THE SETTLEMENT TERMS

A fund of \$7,909,500 will be available to **CLASS MEMBERS** which will be paid as follows:

INCONVENIENCE and LOST USE: each Class Member who ordinarily resided in the Class Area and was displaced from their home as a result of the Explosions can claim \$200 per Class Member for one night of displacement and \$50 per day for every day thereafter.

UNINSURED EXPENSES: each Class Member who had uninsured expenses can claim for money spent to fix property damage and money spent on out-of-pocket expenses.

LOST INCOME: each Class Member may claim for lost employment or business income.

INSURANCE DEDUCTIBLES: each Class Member can claim to be reimbursed for their insurance deductibles.

PERSONAL INJURY FUND: each Class Member who sustained physical or psychiatric injuries as a result of the Explosions can make a claim for compensation. Categories of compensation range from \$500 to \$50,000 depending upon the severity of the injuries. More serious injuries can be individually assessed.

The **MINISTRY of HEALTH & LONG-TERM CARE** will be partially compensated in the amount of \$24,900 for the past and future health care services provided to Class Members as a result of the Explosions.

All claims for compensation must be accompanied by supporting documentation and must be approved by the Administrator. In some cases, disputes about compensation will be settled by the Arbitrator. Class Members will bear their own costs of obtaining medical records and doctors’ notes, if they are required.

In the event that there are excess funds available after all claims are paid in full, the excess funds will be paid to the Class Members *pro rata*. In the event that there are insufficient funds to pay the claims, the awards will be reduced *pro rata*.

An additional \$7,909,500 fund will be available to the **INSURANCE COMPANIES** to be partially compensated for their payments to the Class Members for property damage and other expenses associated with the explosion. The City of Toronto property damage claim will also be paid from this fund.

HOW DO YOU MAKE A CLAIM FOR COMPENSATION?

Detailed instructions for submitting your claim are available at www.sunrisepropaneclassaction.com

You must deliver your completed claim with supporting documentation to the Administrator on or before December 19, 2014 in order to be eligible to receive compensation. If you do not submit a completed claim form on or before December 19, 2014, you will **not** be eligible to receive any settlement funds.

The Administrator will communicate directly with you about the outcome of your claim for compensation.

Most Class Members will receive this notice directly with detailed instructions about how to make a claim. If you believe that you are a Class Member, but you did not receive this notice directly, please visit the website at www.sunrisepropaneclassaction.com to get detailed instructions about how to submit a claim for compensation.

INFORMATION

Any questions for the Administrator regarding the settlement should be directed to:

BY MAIL:

Marsh Canada, Administrator
Sunrise Propane Class Action Settlement
PO Box 428, Station A, Toronto, ON M5W 1C2

Tel: 905.486.2029

Fax: 800.782.5619

Email: sunriseclassaction@marsh.com

BY COURIER:

Marsh Canada, Administrator
Sunrise Propane Class Action Settlement
161 Bay St., #1400, Toronto, ON M5J 2S4

Any questions for Class Counsel regarding the settlement should be directed to:

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INTERPRETATION

This Notice has been approved by the court and is a summary of some of the terms of the judgment in this action. If there is a conflict between the provisions of this notice and the terms of the judgment, the judgment prevails. The judgment can be found at www.sunrisepropaneclassaction.com