

Schedule B

PRE-APPROVAL NOTICE TO CLASS MEMBERS
PROPOSED SETTLEMENT AGREEMENT

DAIMLERCHRYSLER FINANCIAL SERVICES CANADA INC. (ALSO KNOWN AS TD AUTO FINANCE SERVICES)
LOST DATA TAPE CLASS ACTION

500-06-000615-126

www.ChryslerFinancialLostDataTape.ca

PROCEEDINGS

On January 19, 2015, the Honourable Louis Lacoursière of the Superior Court of Québec authorized a class action brought by the Plaintiff Belley on behalf of “all persons in Canada whose personal information was stored or saved on a DaimlerChrysler Financial Services Canada Inc. Data Tape which was lost while in transit **on or about March 12, 2008**”. A Settlement Agreement was recently reached between the parties, which is subject to the approval of the Superior Court of Québec.

PROPOSED SETTLEMENT AGREEMENT

The Settlement provides that Daimler Financial Services Canada Inc. now known as TD Auto Finance Services (“TD Auto”), without admission of liability, will pay a maximum capped amount of \$175,000.00 CAD which will be used to pay those Class Members who suffered an actual and direct loss caused by the loss of the Data Tape. The Settlement further provides for the payment of an indemnity to Class Members for time spent dealing with any type of **Substantiated Loss** and who submit a verified and approved Substantiated Claim up to a maximum of two (2) hours of **Lost Time**, calculated at a rate of \$20.00 CAD per hour, for each category of approved Substantiated Claim.

In addition, TD Auto will pay: **1)** the fees of the Claims Administrator up to a maximum total cap of \$75,000.00 CAD; **2)** the cost related to the notices sent to Class Members up to a maximum cap of \$75,000.00 CAD; **3)** Class Counsel’s fees, costs and expenses, in the amount of \$150,000.00 CAD plus taxes, as well as **4)** the Class Plaintiff’s claim in the amount of \$5,000.00 CAD. None of these amounts will affect or reduce the amount payable to Class Members for Substantiated Claims.

A copy of the Settlement Agreement, the Pre-Approval Order, and other related documentation is available online at www.ChryslerFinancialLostDataTape.ca.

AM I A CLASS MEMBER?

You are a Class Member if you are a resident of Canada whose personal information was stored or saved on the Data Tape that was lost while in transit **on or about March 12, 2008**. You may have been notified of this incident in writing on or about March 27, 2008, or in February of 2016.

WHAT ARE MY OPTIONS?

If you are a Class Member, you have the following two (2) options:

1. If you do not wish to contest the approval of the Settlement Agreement you have **nothing** to do for the time being. If the Settlement Agreement is approved by the Court, you will then have to submit a valid Claim Form before the expiry of the Claim Period in order to obtain compensation for your losses which will be verified by the Claims Administrator; or

2. Contest or comment on the approval of the Settlement Agreement. To object to or comment on the Settlement Agreement, you must deliver a written objection explaining the reasons for your objection / your comments by **no later than February 12, 2020**.

Explanations, deadlines and details regarding the process of objecting to the Settlement are set out in the Settlement Agreement and on the Settlement Website at **www.ChryslerFinancialLostDataTape.ca**.

SETTLEMENT AGREEMENT PRE-APPROVAL HEARING

A hearing during which the Court will be called upon to approve the Settlement Agreement, has been set **on February 27, 2020** at the Montreal Courthouse, 1 Notre-Dame Street East, Montréal, Québec, H2Y 1B6, in room 15.07 at 9:30 a.m. EST.

At this hearing, the Court will hear any objection(s)/comments raised by Class Members with respect to the proposed Settlement Agreement, in accordance with the deadlines and procedure set forth in the Settlement Agreement.

If you are a Class Member and do not object to the Settlement, you do NOT have to do anything and you do NOT have to attend the Settlement Approval Hearing.

HOW DO I SUBMIT A CLAIM?

If the Settlement is approved, a further Notice will be issued which will identify and explain how Class Members can submit a claim.

HOW DO I OBTAIN MORE INFORMATION?

For more information, please contact:

<p>Court appointed Claims Administrator Epiq Class Action Services Canada Inc. DaimlerChrysler Financial Lost Data Tape Class Action Settlement P.O. Box 507 STN B Ottawa ON K1P 5P6 1-833-414-8040</p> <p>info@ChryslerFinancialLostDataTape.ca www.ChryslerFinancialLostDataTape.ca</p>	<p>Class Counsel Lex Group Inc. 4101 Sherbrooke Street West Westmount QC H3Z 1A7 514-451-5500</p> <p>info@lexgroup.ca www.lexgroup.ca</p>
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Please note that in case of any discrepancy between the terms of this Notice and the Settlement Agreement, the terms of the Settlement Agreement shall prevail. Any term not defined in this Pre-Approval Notice shall have the meaning ascribed in the Settlement Agreement.

The publication of this Notice has been ordered by the Superior Court of Québec.