

## Schedule C

### SETTLEMENT APPROVAL NOTICE TO CLASS MEMBERS

#### APPROVED SETTLEMENT AGREEMENT

DAIMLERCHRYSLER FINANCIAL SERVICES CANADA INC. (NOW KNOWN AS TD AUTO FINANCE SERVICES)

LOST DATA BREACH CLASS ACTION

500-06-000615-126

#### PROCEEDINGS

On January 19, 2015, the Honourable Louis Lacoursière of the Superior Court of Quebec 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 has been reached and was approved by the Superior Court of Québec on March 4, 2020.

#### SETTLEMENT AGREEMENT

The Settlement provides that DaimlerChrysler 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 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 Settlement Approval Order, the Claim Form, and other related documentation is available online at [www.ChryslerFinancialLostDataTape.ca](http://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.

#### HOW DO I SUBMIT A CLAIM?

To submit a claim, you must, **no later than January 8, 2021**:

- Complete a Claim Form online at [www.ChryslerFinancialLostDataTape.ca](http://www.ChryslerFinancialLostDataTape.ca); or

- Obtain a Claim Form in paper format from the website, the Claims Administrator or Class Counsel, complete it and send it by email or by mail to the Claims Administrator.

**HOW DO I OBTAIN MORE INFORMATION?**

For more information, please contact:

<p>Court appointed Claims Administrator <b>Epiq Class Action Services Canada Inc.</b> 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 <b>www.ChryslerFinancialLostDataTape.ca</b></p>	<p>Class Counsel <b>Lex Group Inc.</b> 4101 Sherbrooke Street West Westmount QC H3Z 1A7 514-451-5500</p> <p>info@lexgroup.ca <b>www.lexgroup.ca</b></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 Settlement Approval Notice shall have the meaning ascribed in the Settlement Agreement.*

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