

CANADIAN TD COIN COUNTING CLASS ACTION NOTICE OF CLAIMS PROCESS

**TO: Persons in Canada who used a coin counting machine at TD Bank
between January 1, 2013 and May 25, 2016**

PLEASE READ THIS NOTICE CAREFULLY. IT MAY AFFECT YOUR LEGAL RIGHTS.

APPLICATION DEADLINE: 16 SEPTEMBER, 2019

Settlement Class Members who wish to apply for compensation from the settlement funds must submit their application by this date.

A. WHO IS AFFECTED BY THIS NOTICE?

The notice applies to all persons in Canada who between January 1, 2013 and May 25, 2016 used a coin counting machine located at The Toronto Dominion Bank (“TD Bank”).

B. WHAT IS THIS CLASS ACTION ABOUT?

The class action alleges that TD Bank breached its agreements with consumers across Canada because its coin counting machines did not accurately count coins.

For more information about the class action, visit www.TDcoinclassactioncanada.com.

C. COURT APPROVED SETTLEMENT

A settlement is when a defendant agrees to pay money to the members of the class action in exchange for being released from the case, without admitting liability for any of the claims.

TD Bank has agreed to settle the class action for payment of \$555,000 in exchange for a full release of the claims against it. The class action has been certified against TD Bank for settlement purposes. The settlement has been approved by the Court.

TD Bank does not admit any liability, wrongdoing or fault

D. DISTRIBUTION OF THE SETTLEMENT FUNDS

The aggregate settlement amount, plus interest and less court-approved legal fees and deductions (the “Net Settlement Funds”), are available for compensation to settlement class members. The Net Settlement Amount equals approximately \$342,500.

The Court approved a protocol for distributing the Net Settlement Funds. A copy of the distribution protocol is available at www.TDcoinclassactioncanada.com.

Subject to further order of the Court, the settlement funds will be distributed *pro rata* (proportional) based on the value of your claim relative to the value of all approved claims. All claims will be paid a minimum of \$25 for administrative purposes. All claims are capped at 2% of claimed funds deposited. Any excess payments will be distributed *cy-pres* to the Law Foundation of Ontario charity.

Sample Calculation:

Below is a sample calculation involving a class member whose Deposited Coins totalled \$500, under circumstances where the total value of all Settlement Class Members' Deposited Coins is \$1 million:

1. The total Settlement Amount is \$555,000.
2. The Net Settlement Funds, once Class Counsel fees and disbursements have been deducted, is \$345,000.
3. Having claimed \$500 in Deposited Coins, the Settlement Class Member would be entitled to 0.05% ($\$500/\$1,000,000$) of the Net Settlement Funds, or \$172.50.
4. \$172.50 is 34.5% of the \$500 value of the Settlement Class Member's Deposited Coins.
5. Since the Settlement Class Member's total recovery from the Net Settlement Fund is capped at 2% of the value of their Deposited Coins pursuant to the Distribution Protocol, the Settlement Class Member would be entitled to recover \$10.

E. APPLYING TO RECEIVE A PAYMENT

Settlement Class Members who wish to apply for compensation under the settlement must apply no later than 16 September, 2019. Claims that are not made within the deadline will not be eligible for compensation.

Applications for settlement benefits must be submitted online at www.TDcoinclassactioncanada.com.

Claims may be subject to an audit by the Claims Administrator. Details respected the audit process are included in the Distribution Protocol found at www.TDcoinclassactioncanada.com.

F. CLAIMS ADMINISTRATOR

The Court has appointed Trilogy Class Action Services (an independent third-party) to receive and review claims, make determinations in respect of direct payment of settlement benefits and issue payments to eligible settlement class members.

Questions regarding the claims process should be directed to Trilogy at inquiry@trilogyclassactions.ca or 1-877-400-1211.

G. CLASS COUNSEL

The law firm of Sotos LLP represents members of this class action in Canada, other than corporations of more than 50 employees in Quebec.

Sotos LLP can be reached at:

Telephone (toll free): 1-888-977-9806

Email: tdcoinmachines@sotosllp.com

Mail: 180 Dundas Street West, Suite 1200, Toronto ON M5G 1Z8, Attention Sabrina Callaway

You do not need to pay out-of-pocket for the lawyers working on the class actions. The lawyers will be paid from the settlement funds in an amount approved by the Court.

H. QUESTIONS ABOUT THE SETTLEMENTS

For more information, please visit www.TDcoinclassactioncanada.com. If you have questions that are not answered online, please contact Trilogy by email at inquiry@trilogyclassactions.ca or by calling toll-free 1-877-400-1211.

To receive future notices and updates regarding the class action, register online at www.TDcoinclassactioncanada.com.

I. INTERPRETATION

This notice contains a summary of some of the terms of the settlement agreement and the Distribution Protocol. If there is a conflict between the provisions of this notice and the settlement agreement or Distribution Protocol, the terms of the settlement agreement or Distribution Protocol, as applicable, shall prevail.