

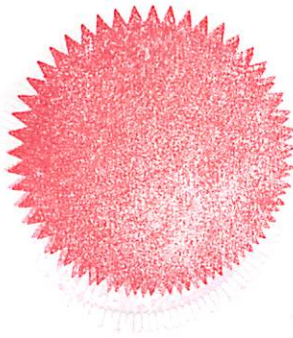
**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE)
)
MR. JUSTICE GERALD TAYLOR)

MONDAY, THE 15TH
DAY OF APRIL, 2019

B E T W E E N:

(Court Seal)



LISA RAM

Plaintiff

and

THE TORONTO DOMINION BANK

Defendant

Proceeding under the *Class Proceedings Act, 1992*

**ORDER
(Distribution Protocol Approval)**

THIS MOTION, made by the Plaintiff for an Order approving the protocol for the distribution of settlement funds and appointing Trilogy Class Actions Services as the Claims Administrator, was heard this day at the court house, 85 Frederick Street, Kitchener, Ontario, N2H 0A7.

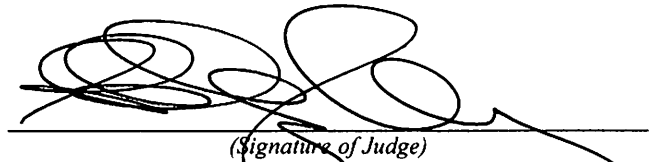
ON READING the materials filed, including the protocol for distribution of settlement funds attached to this Order as Schedule "A" (the "Distribution Protocol"), and on hearing the submissions of Class Counsel, the Defendant taking no position; and

AND ON BEING ADVISED that Trilogy Class Action Services (“Trilogy”) consents to being appointed the Claims Administrator and agrees to be bound by this Order, including the terms of the Distribution Protocol:

1. THIS COURT ORDERS that, for the purposes of this Order, the definitions set out in the Distribution Protocol apply to and are incorporated into this Order.
2. THIS COURT ORDERS that the Distribution Protocol is approved.
3. THIS COURT ORDERS that Trilogy be appointed as Claims Administrator.
4. THIS COURT ORDERS that the Distribution Protocol shall govern the administration of the Settlement Agreement.
5. THIS COURT ORDERS that the Net Settlement Funds be distributed by the Claims Administrator in accordance with the Distribution Protocol.
6. THIS COURT ORDERS that the publication, abbreviated and long-form notice of claims process (the “Claims Notices”) be approved substantially in the form attached to this Order as Schedules “B” to “D”.
7. THIS COURT ORDERS that the method of dissemination of the Claims Notices be approved in the form attached to this Order as Schedule “E”.
8. THIS COURT ORDERS that all information received from Settlement Class Members, collected, used, and retained by the Claims Administrator for the purposes of administering the Settlement Agreement, including evaluating the Settlement Class Member’s eligibility status under the Settlement Agreement, is protected under the *Personal Information Protection and*

Electronic Documents Act, SC 2000 c 5, and the applicable provisions in any applicable provincial privacy legislation, including *Personal Information Protection Act*, SBC 2003, c63; *Personal Information Protection Act*, SA 2003, c P-6.5; and *Act respecting the protection of personal information in the private sector*, CQLR c P-39.1. The information provided by Settlement Class Members is strictly private and confidential and will not be disclosed without the express written consent of the relevant Settlement Class Member; except in accordance with the Settlement Agreement, orders of the Court and/or the Distribution Protocol.

9. THIS COURT ORDERS that the approval of the Distribution Protocol is conditional on the receipt of a Final Order, as the term is defined in the Settlement Agreement, approving the Settlement Agreement.



(Signature of Judge)

ENTERED AT KITCHENER
in Book No. 4C
As Document No. 637
on APR 15 2018
by Ingrid Peters

SCHEDULE "A"

DISTRIBUTION PROTOCOL

**IN THE MATTER OF THE CANADA TD BANK COIN COUNTING CLASS ACTION
SETTLEMENT**

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PART I - GENERAL PRINCIPLES

1. The procedures set forth herein are intended to govern the administration of the settlement agreement entered into in the Canadian TD Bank Coin Counting class action (the “**Settlement Agreement**”).¹

2. The administration shall:

- (a) implement and conform to the Settlement Agreement, orders of the Court and this Distribution Protocol; and
- (b) employ secure, paperless, web-based systems with electronic registration and record-keeping where possible.

3. Settlement Class Members seeking compensation must disclose and give credit for any compensation received through other proceedings or private out-of-class settlements in relation to Coin Counting Machines, unless by such proceedings or private out-of-class settlements the Settlement Class Member’s claim was released in its entirety, in which case the Settlement Class Member shall be deemed ineligible for any further compensation.

PART II - DEFINITIONS

4. The definitions set out in the Settlement Agreement apply to and are incorporated herein. Where a term is defined in both the Settlement Agreement and in this Distribution Protocol, the definition in this Distribution Protocol shall govern.

5. For the purposes of this Distribution Protocol, the following definitions apply:

¹ The Settlement Agreement is available online at www.TDcoinclassactioncanada.com.

- (a) ***Claim*** means the electronic form that a Settlement Class Member must complete and submit before the Claims Filing Deadline in order to be considered for settlement benefits under this Distribution Protocol.
- (b) ***Claims Administrator*** means Trilogy Class Action Services.
- (c) ***Claims Filing Deadline*** means the date by which Claims (and any required supporting documentation) must be electronically submitted in order for Settlement Class Members to be considered for settlement benefits under this Distribution Protocol, which date shall be four (4) months after the first publication of the notice advising Settlement Class Members of the claims process.
- (d) ***Class Counsel*** means Sotos LLP.
- (e) ***Class Period*** means between January 1, 2013 and May 25, 2016.
- (f) ***Court*** means the Ontario Superior Court of Justice.
- (g) ***Decision Notice*** shall have the meaning attributed to it in paragraph 25.
- (h) ***Deposited Coins*** means the value of the coins deposited into a TD Bank Coin Counting Machines by a Settlement Class Member during the Class Period as evidenced by supporting documentation, such as receipts or bank statements, as determined by the Claims Administrator and subject to the minimum value described in paragraph 7.
- (i) ***Net Settlement Funds*** means the aggregate of the Settlement Amount recovered pursuant to the Settlement Agreement, plus accrued interest, less:

- (i) Class Counsel Fees as approved by the Court;
 - (ii) taxes accruable with respect to the income earned on the Settlement Amount prior to distribution (including interest and penalties); and
 - (iii) any other deductions approved by the Court.
- (j) **Settlement Agreement** has the meaning attributed to it in paragraph 1.
- (k) **Settlement Class Members** means all persons who used TD Bank's Coin Counting Machines in Canada during the Class Period. The following persons are excluded:
- (i) The Defendant and its respective parents, subsidiaries, affiliates, officers and directors; and
 - (ii) Persons who validly and timely opted out of the proceeding.
- (l) **TD Bank** means the Defendant, The Toronto Dominion Bank.

PART III - DISTRIBUTION OF SETTLEMENT FUNDS

CALCULATION OF PAYMENTS

6. The Net Settlement Funds will be distributed to Settlement Class Members *pro rata* (or proportionally) based on the value of the Settlement Class Members' Deposited Coins as against the value of all Settlement Class Members' Deposited Coins, as determined by the Claims Administrator.

7. Notwithstanding any other provision in this Distribution Protocol and subject to further order of the Court following the adjudication of all claims, all Claims assessed as valid by the Claims Administrator will be assigned a minimum value of \$25.00. The \$25.00 valuation target is

not an estimate of any damages suffered. It is a minimum administrative threshold designed to maintain a feasible economic and administrative platform for the settlement distribution.

8. A Settlement Class Member's total recovery from the Net Settlement Funds will be capped at 2% of the value of their Deposited Coins.

9. Any balance of the Settlement Class Member's *pro rata* share of the Net Settlement Funds that exceeds 2% of the value of their Deposited Coins will be contributed towards a separate fund to be distributed by *cy près* award.

SAMPLE CALCULATION

10. 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:

- (a) The total Settlement Amount is \$555,000.
- (b) The Net Settlement Funds, once Class Counsel fees and disbursements have been deducted, is \$345,000.
- (c) 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.
- (d) \$172.50 is 34.5% of the \$500 value of the Settlement Class Member's Deposited Coins.

- (e) 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 \$25.

11. In consultation with Class Counsel, the Claims Administrator can seek directions from the Court with respect to the distribution of the Net Settlement Funds to ensure a fair and cost effective distribution of the Net Settlement Funds.

***CY PRÈS* PAYMENT**

12. To the extent that the full Net Settlement Funds are not paid out due to uncashed e-transfers or cheques, residual interest, the cap detailed at paragraph 8, or otherwise, subject to further instructions of the Court, such monies shall be distributed by *cy près* payment to The Law Foundation of Ontario.

13. To be eligible to receive the monies under this distribution protocol, The Law Foundation of Ontario must:

- (a) Use the monies for the purposes outlined in its proposal submitted to Class Counsel and approved by the Court; and
- (b) Report to the Claims Administrator on an annual basis until all funds are exhausted on how the monies have been used.

14. Subject to the consent of Class Counsel, all funds distributed to the Law Foundation of Ontario by *cy près* payment shall be used up within two years of receipt.

PART IV - THE CLAIMS PROCESS

THE CLAIM

15. Each Claim shall require the following:
- (a) a declaration specifying the value of Deposited Coins and the approximate date on which the deposit(s) was made;
 - (b) documentary proof that will allow the Claims Administrator to verify the value of Deposited Coins claimed by the Settlement Class Member, which might include receipts or bank statements;
 - (c) disclosure regarding whether the Settlement Class Member has received compensation through other proceedings or private out-of-class settlements in relation to their Deposited Coins, and/or whether the Settlement Class Member's claims in relation to their Deposited Coins have been released, and details of the compensation received and the claims released;
 - (d) authorization to the Claims Administrator to contact the Settlement Class Member or its representative, as the Claims Administrator deems appropriate, for more information and/or to audit the Claim;
 - (e) a declaration that the information submitted in the Claim is true and correct; and
 - (f) if the Claim is submitted by a third-party on behalf of a Settlement Class Member (including a parent company claiming on behalf of a subsidiary or affiliate), the third-party must provide a signed statement from the Settlement Class Member at the time the Claim is filed authorizing the third-party to file the Claim on its behalf.

THE ONLINE CLAIMS PORTAL

16. The Claims Administrator shall create an online claims portal that Settlement Class Members can access in order to file a Claim and shall provide the necessary administrative support to enable Settlement Class Members to do so.

17. The online claims portal shall contain fields that require the Settlement Class Member to provide all applicable information required as part of the Claim, in accordance with paragraph 15 above.

CLAIMS FILING PROCESS

18. Settlement Class Members will be encouraged to complete and submit a Claim electronically using the online claims portal. Subject to paragraph 23, or further order of the Court, Claims must be submitted to the online claims portal on or before the Claim Filing Deadline.

ASSISTANCE IN FILING A CLAIM

19. Settlement Class Members can contact the Claims Administrator or Class Counsel, at no charge, with questions about how to complete a Claim.

20. Settlement Class Members may utilize third-party claims services, a lawyer of their own choosing, or similar services to file Claims. If a Settlement Class Member chooses to use a third-party claims service, a lawyer of their own choosing, or similar services, the Settlement Class Member will be responsible for any and all expenses incurred in doing so.

AUDITS

21. At its sole discretion, the Claims Administrator can elect to audit any Claim as it sees fit to maintain the integrity of the claims procedure.

DEFICIENCIES

22. If during claims processing, the Claims Administrator finds that deficiencies exist in a Claim or other information is required, the Claims Administrator shall notify the Settlement Class Member of the deficiencies through the online claims portal. The Claims Administrator shall allow the Settlement Class Member thirty (30) days from the date of such notice to correct the deficiencies. If the deficiencies are not corrected within the thirty (30) day period, depending on the nature of the deficiency, the Claims Administrator may reject the Claim.

ADJUSTMENTS TO CLAIM PROCESS AND EXTENSION OF THE CLAIMS FILING DEADLINE

23. Class Counsel and the Claims Administrator shall agree to extend the Claims Filing Deadline and/or adjust the Claims process if, in their opinion, doing so will further the fair and efficient administration of the Net Settlement Funds and it is in the best interests of the Settlement Class Members to do so.

CLAIMS ADMINISTRATOR'S DECISION

24. In respect of each Settlement Class Member who has filed a Claim in accordance with this Distribution Protocol, the Claims Administrator shall decide whether the Settlement Class Member is eligible to receive settlement benefits payable out of the Net Settlement Funds in accordance with the Settlement Agreement, orders of the Court and this Distribution Protocol.

25. The Claims Administrator shall send to the Settlement Class Member, by email or regular mail, a decision as to the approval or rejection of the Claim (the "Decision Notice"). Where the Claims Administrator has rejected all or part of the Claim, the Claim Administrator shall include in the Decision Notice its grounds for doing so.

26. The Claims Administrator's decision will be final and binding upon the Settlement Class Member.

PAYMENT OF CLAIMS

27. As soon as practicable after the claims evaluations and any appeals are completed, the Claims Administrator shall:

- (a) Report to Class Counsel the particulars of the proposed distribution to each eligible Settlement Class Member; and
- (b) Make arrangements to pay approved Claims.

28. Claimants who are customers of TD Bank and have provided their relevant account details will be paid by the Claims Administrator by direct transfer from the Claims Administrator's trust account, which is held at TD Bank.

29. Claimants who are not customers of TD Bank will be paid by e-transfer through email where an email address has been provided or cheque where no email address has been provided or the Settlement Class Member has made arrangements with the Claims Administrator.

PART V - THE CLAIMS ADMINISTRATOR'S DUTIES AND RESPONSIBILITIES

SUPERVISORY POWERS OF THE COURT

30. The Claims Administrator shall administer the Settlement Agreement and this Distribution Protocol under the ongoing authority and supervision of the Court.

INVESTMENT OF SETTLEMENT FUNDS

31. The settlement funds shall be held in a guaranteed investment vehicle, liquid money market account or equivalent security with a rating equivalent to or better than that of a Canadian Schedule

I bank (a bank listed in Schedule I of the *Bank Act*, SC 1991, c 46), held at a Canadian financial institution.

COMMUNICATION, LANGUAGES AND TRANSLATION

32. Where a Claim is filed by a third-party claims agent or lawyer on behalf of a Settlement Class Member, unless the Settlement Class Member requests otherwise, all communications shall be made to the third-party claims agent or lawyer.

33. The Claims Administrator shall establish a toll-free number for calls from Canada.

34. The Claims Administrator shall dedicate sufficient personnel to respond to Settlement Class Members' inquiries in English or French, as the Settlement Class Member elects.

35. All written communications from the Claims Administrator to a Settlement Class Member shall be transmitted via email if an email address has been provided, or if an email address has not been provided, by regular mail.

UNDELIVERABLE MAIL

36. The Claims Administrator shall have no responsibility for locating Settlement Class Members for any mailing returned to the Claims Administrator as undeliverable.

37. The Claims Administrator shall have the discretion, but is not required, to reissue payments to a Settlement Class Member returned as undeliverable under such policies and procedures as the Claims Administrator deems appropriate. Any costs associated with locating current address information for the Settlement Class Member shall be deducted from the Settlement Class Member's settlement benefits.

REISSUANCE OF PAYMENT

38. Where a Settlement Class Member who is entitled to payment of greater than \$25 requests that an e-transfer be reissued, \$10 shall be deducted from that Settlement Class Member's settlement benefits representing the costs of reissuing payment. Where a Settlement Class Member who is entitled to payment of greater than \$25 requests that a cheque be reissued, \$15 shall be deducted from that Settlement Class Member's settlement benefits representing the costs of reissuing payment. Subject to the sole discretion of the Claims Administrator, payments for \$25 or less will not be reissued.

TAXES

39. The Claims Administrator shall take all reasonable steps to minimize the imposition of taxes upon the Net Settlement Funds and shall pay any taxes imposed on such monies out of the Net Settlement Funds.

REPORTING

40. The Claims Administrator shall provide regular reports to Class Counsel regarding the administration.

41. The Claims Administrator shall provide any reports requested by the Court.

PRESERVATION AND DISPOSITION OF CLAIM SUBMISSIONS

42. The Claims Administrator shall preserve, in hard copy or electronic form, as the Claims Administrator deems appropriate, the submissions relating to a Claim, until two years after all settlement monies or court awards have been paid out to Settlement Class Members, and at such time shall destroy the submissions by shredding, deleting, or such other means as will render the materials permanently illegible.

ASSISTANCE TO THE CLAIMS ADMINISTRATOR

43. The Claims Administrator shall have the discretion to enter into such contracts and obtain financial, accounting, and other expert assistance as are reasonably necessary in the implementation of the Settlement Agreement and this Distribution Protocol.

CONFIDENTIALITY

44. All information received from the Defendant or Settlement Class Members, used and retained by the Claims Administrator for the purposes of administering the Settlement Agreement, including evaluating the Settlement Class Member's eligibility status under the Settlement Agreement, is protected under the *Personal Information Protection and Electronic Documents Act*, SC 2000 c 5. The information provided by Settlement Class Members is strictly private and confidential and will not be disclosed without the express written consent of the relevant Settlement Class Member, except in accordance with the Settlement Agreement, orders of the Court and/or this Distribution Protocol. Prior to implementing the Distribution Protocol, the Claims Administrator shall execute an undertaking that confirms its commitment to abide by the obligations set out in this paragraph.

SCHEDULE "B"

Did you use a coin counting machine at the Toronto Dominion Bank ("TD Bank") between January 1, 2013 and May 25, 2016?

IF SO, APPLY NOW TO RECEIVE MONEY FROM A CLASS ACTION SETTLEMENT.

A settlement totaling \$555,000 was reached with TD Bank. The settlement was approved by the Court. The settlement is a compromise of disputed claims and is not an admission of liability.

Payments will be distributed on a proportional basis, based on the value your claim relative to the value of all approved claims. The claims value is based on the value of coins deposited into a coin counting machine at TD Bank.

Apply for payment using the online claims process at www.TDcoinclassactioncanada.com. Claims must be made no later than **DD MONTH, YYYY**.

For more information, visit www.TDcoinclassactioncanada.com, email inquiry@trilogyclassactions.ca, or call 1-877-400-1211.

You are represented by Sotos LLP.

SCHEDULE "C"

Distribution of Settlement Funds in Canadian TD Coin Counting Class Action

Did you use a TD Coin Counting Machine between January 1, 2013 and May 25, 2016?

If so, apply now to receive money from the class action settlement.

THE CLASS ACTION

A class action was commenced in Ontario on behalf of residents of Canada who used coin counting machines at The Toronto Dominion Bank ("TD Bank") alleging that the machines did not properly count the deposited coins.

A settlement of the class action has been reached with TD Bank for \$555,000. The settlement is not an admission of liability, fault, or wrongdoing.

AM I ELIGIBLE TO RECEIVE MONEY?

You are eligible to receive money if, between January 1, 2013 and May 25, 2016, you used a coin counting machine at TD Bank.

HOW MUCH MONEY WILL I RECEIVE?

Payments will be distributed on a proportional basis, based on the value of your claim relative to the value of all approved claims. The value of your claim for the purpose of determining your share of the settlement funds will be calculated based on the total value of coins you deposited into a TD coin counting machine. See www.TDcoinclassactioncanada.com for more information.

DO I NEED PROOF OF COIN DEPOSITS?

You must provide some sort of documentation that supports the value of deposited coins that you are

claiming. Supporting documentation may include receipts produced by TD coin counting machines or excerpts of bank statements showing the relevant deposits.

HOW DO I APPLY TO RECEIVE A PAYMENT?

Apply for payments using the online claims process at www.TDcoinclassactioncanada.com.

It does not cost anything to apply to receive a payment. Counsel fees will be paid out of the settlement funds.

WHAT IS THE DEADLINE FOR APPLY TO RECEIVE PAYMENTS?

Applications must be made no later than DD MONTH, YYYY.

WHEN WILL I RECEIVE MY MONEY?

Accurate processing takes time. Depending on the number of applications filed, it could be up to one year before you receive compensation.

Please check www.TDcoinclassactioncanada.com for regular updates.

YOU ARE REPRESENTED BY: Sotos LLP

QUESTIONS? Visit: www.TDcoinclassactioncanada.com, email inquiry@trilogyclassactions.ca
or call 1-877-400-1211

SCHEDULE "D"

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: DD MONTH, YYYY

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 \$[XXX,XXX].

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 DD MONTH, YYYY. 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 Trilogly 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.

SCHEDULE "E"

METHOD OF DISSEMINATION OF CLAIMS NOTICE

IN THE MATTER OF THE CANADA TD BANK COIN COUNTING CLASS ACTION SETTLEMENT

The Notice of the Claims Process shall be distributed in the following manner:

Abbreviated Notice:

1. sent by direct mail or email, in English and/or French, as is appropriate, to:
 - (a) Consumer Counsel of Canada, News Blog – Class Action Notice Section; and
 - (b) Anyone who has inquired with Class Counsel or the Claims Administrator regarding the TD Bank coin counting class action, to the extent that Class Counsel and/or the Claims administrator has their name and email or mailing information.

Publication Notice

2. published once in the following newspapers, no larger than 1/8 newsprint page, subject to each having reasonable publication deadlines and costs:
 - (a) The National Post (notice to be published in English); and
 - (b) Le Journal du Quebec (notice to be published in French).

Abbreviated and Long-Form Notice

3. modeled into a press release and disseminated over Business News Wire in English and French; and

4. modeled into a Facebook post and published by Class Counsel on their Facebook Page:
Sotos Class Actions.

Long-Form Notice

5. posted in English and French on Class Counsel's website and on the website:
www.TDcoinclassactioncanada.com.

LISA RAM
Plaintiff

-and-

THE TORONTO DOMINION BANK
Defendant

Court File No. C-680-16

ONTARIO
SUPERIOR COURT OF JUSTICE
PROCEEDING COMMENCED AT KITCHENER

ORDER
(Distribution Protocol Approval)

SOTOS LLP
180 Dundas Street West
Suite 1200
Toronto ON M5G 1Z8

Jean-Marc Leclerc (LSO # 43974F)
Adrienne Boudreau (LSO # 57348D)

Tel: 416-977-0007
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Lawyers for the Plaintiff