

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE MR.) WEDNESDAY, THE 29TH DAY
JUSTICE BELOBABA) OF MAY, 2019



BETWEEN:

JULIUS DI FILIPPO and DAVID CARON

Plaintiffs

and

THE BANK OF NOVA SCOTIA, SCOTIA CAPITAL (USA) INC., DEUTSCHE BANK AG, DEUTSCHE BANK SECURITIES LIMITED, DEUTSCHE BANK SECURITIES, INC., HSBC HOLDINGS PLC, HSBC BANK PLC, HSBC BANK CANADA, HSBC SECURITIES (CANADA) INC., HSBC USA INC., HSBC SECURITIES (USA) INC., UBS AG, UBS SECURITIES LLC, UBS BANK (CANADA), THE LONDON SILVER MARKET FIXING LIMITED, BARCLAYS PLC, BARCLAYS BANK PLC, BARCLAYS CAPITAL CANADA INC., BARCLAYS CAPITAL INC. and BARCLAYS CAPITAL PLC

Defendants

Proceeding under the *Class Proceedings Act, 1992*

**ORDER
(Deutsche Bank Fee Approval - Silver)**

THIS MOTION, made by the Plaintiffs for an Order approving the payment of legal fees of Sotos LLP, Koskie Minsky LLP, Siskinds LLP, and Camp Fiorante Matthews Mogerman LLP (collectively “**Class counsel**”) and disbursements, was heard this day at Osgoode Hall, 130 Queen Street West, Toronto, Ontario.

ON READING the materials filed and on hearing the submissions of Class Counsel:

1. **THIS COURT ORDERS** that the retainer agreements entered into with the Plaintiffs are approved.
2. **THIS COURT ORDERS** that the fees plus applicable taxes of Class Counsel are approved.
3. **THIS COURT ORDERS** that the disbursements plus interest and applicable taxes of Class Counsel are approved.
4. **THIS COURT ORDERS** that fees, disbursements, interest and applicable taxes be paid from the settlement funds, pursuant to the terms of the Settlement Agreement dated August 27, 2018, entered into between the Plaintiffs and Deutsche Bank AG, Deutsche Bank Securities Limited and Deutsche Bank Securities, Inc.
5. **THIS COURT ORDERS** that legal fees of \$477,436.29, and disbursements of \$288,069.45 (including interest) and applicable taxes are awarded to Class Counsel.
6. **THIS COURT ORDERS** that the sum of a levy of 10 per cent of the settlement funds to which the Class will be entitled after the deduction of the amounts listed in paragraph 5, above, plus any amount of financial support paid by the Class Proceedings Fund of the Law Foundation of Ontario (the "**Fund**") to the Plaintiffs, excluding any amount repaid by the Plaintiffs, shall be payable in favour of the Fund under section 10 of O. Reg. 771/92: Class Proceedings.

ENTERED AT / INSCRIPT A TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO:

JUN 07 2019

PER/PAR



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The Honourable Justice Belobaba

JULIUS DI FILIPPO ET AL
Plaintiffs

-and-

THE BANK OF NOVA SCOTIA et al.
Defendants

Court File No. CV-16-551067

ONTARIO
SUPERIOR COURT OF JUSTICE

PROCEEDING COMMENCED AT TORONTO

Proceeding under the *Class Proceedings Act, 1992*

ORDER
FEE APPROVAL

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