



THE HONOURABLE) Toronto, the 25th day
) of August, 2025
CHIEF JUSTICE MORAWETZ)

4126-9826-3135

AND ON READING the Notice of Motion for the Approval of the Quebec Class Counsel Fee, as well as the Affidavits of Bruce W. Johnston, Philippe H. Trudel, Dr. André-H Dandavino, Lise Boyer Blais, Gordon Kugler, Marc Beauchemin and Avram Fishman, including the schedules thereto, and on hearing the submissions of counsel for the QCAPs and other such counsel requesting to be heard, all parties having been duly served with the Motion Record, as appears from the Affidavit of Service of Tina Silverstein sworn January 13, 2025;

1. **THIS COURT ORDERS** that the time for service of the Notice of Motion and the Motion Record herein is hereby validated so that this Motion is properly returnable today and hereby dispenses with further service thereof.

2. **THIS COURT ORDERS** that all capitalized terms used herein, unless herein otherwise defined, shall have the meanings ascribed to them in the Fourth Amended and Restated Court-Appointed Mediator's and Monitors' CCAA Plans of Compromise and Arrangement concerning, affecting and involving Imperial, RBH and JTIM dated August 27, 2025 (the "**CCAA Plans**").

3. **THIS COURT ORDERS** that the CQTS Retainer Agreement is hereby approved and the Quebec Class Counsel Fee is hereby established and approved in the amount of \$901,177,915, plus applicable Sales and Excise Taxes thereon (the "**Quebec Class Counsel Fee**"), subject to reduction, if any, not exceeding the amount of the QCC Reserve defined below based on terms and timing to be established pursuant to paragraph 7 hereof (such reduction, the "**Reduction**").

4. **THIS COURT ORDERS** that the Quebec Class Counsel Fee less the Reduction, shall be paid out of and deducted from the QCAP Settlement Amount.

5. **THIS COURT ORDERS** that from the Quebec Class Counsel Fee, a reserve, in the amount of \$50,000,000 (the "**QCC Reserve**") shall be held back and retained in the Imperial QCAP Trust Account, the RBH QCAP Trust Account and the JTIM QCAP Trust Account (the "**QCAP Trust Accounts**") pending release in accordance with paragraph 7 hereof. The proportion of the QCC Reserve to be retained in each of the QCAP Trust

Accounts shall be the proportionate shares of the Upfront Contributions made by each of Imperial, RBH and JTIM, respectively (the “**Proportionate Shares**”).

6. **THIS COURT ORDERS** that the Trustees shall, at the time of the implementation of the CCAA Plans, pay to Quebec Class Counsel from the QCAP Trust Accounts according to the Proportionate Shares and the distribution plans delivered to the Trustees in connection therewith, the aggregate amount of \$978,641,807.77, being \$851,177,915 plus applicable Sales and Excise Taxes thereon of \$127,463,892.77, based on the wire instructions to be provided by Quebec Class Counsel to the Trustees. To the extent any of such Sales and Excise Taxes are refunded or reimbursed to, or otherwise recovered by, Quebec Class Counsel or otherwise not remitted to the applicable tax authority, such amounts (the “**Recovered Tax Amounts**”) shall be returned by Quebec Class Counsel to the QCAP Trust Accounts.

7. **THIS COURT ORDERS** that the terms and timing of (i) the release of all or any portion of the QCC Reserve, either to Quebec Class Counsel or to *Blais* Class Members, and (ii) the return of any Recovered Tax Amounts, shall be established by the Monitors, in consultation with the Court-Appointed Mediator and Quebec Class Counsel, or by further Order of this Court.

8. **THIS COURT ORDERS** Quebec Class Counsel to reimburse the *Fonds d’aide aux actions collectives* the balance of all financial aid received from them in connection with the Quebec Class Actions, namely, the amount of \$1,847,876.47, within 10 Business Days of the receipt of the Quebec Class Counsel Fee.

GENERAL

9. **THIS COURT ORDERS** that this Order shall have full force and effect in all provinces and territories in Canada.

10. **THIS COURT HEREBY REQUESTS** the aid and recognition of any court, tribunal, regulatory or administrative body or agency having jurisdiction in Canada or in any other foreign jurisdiction, to give effect to this Order. All courts, tribunals, regulatory and administrative bodies and agencies are hereby respectfully requested to make such

Orders and to provide such assistance, as may be necessary or desirable to give effect to this Order.



Chief Justice Geoffrey B. Morawetz