Court File No. CV-19-616077-00CL; CV-19-616779-00CL; CV-19-615862-00CL

ONTARIO
SUPERIOR COURT OF JUSTICE

THE HONOURABLE	)	FRIDAY, THE 20th DAY
	)	
CHIEF JUSTICE MORAWETZ	)	OF FEBRUARY, 2026

BETWEEN:

IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*, R.S.C. 1985, c. C-36, AS AMENDED

AND IN THE MATTER OF A PROPOSED PLAN OF COMPROMISE OR ARRANGEMENT OF IMPERIAL TOBACCO CANADA LIMITED AND IMPERIAL TOBACCO COMPANY LIMITED

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF JTI-MACDONALD CORP.

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF ROTHMANS, BENSON & HEDGES INC.

EXTENSION OF OFFICIAL CONFIRMATION ORDER

THIS MOTION, made by the Québec Class Action Plaintiffs ("QCAPs") for an extension of the Official Confirmation Order, was heard today in a concurrent hearing with the Québec Superior Court.

CONSIDERING the Order of the Quebec Superior Court dated July 21, 2025, in the present court file authorizing and directing the RAMQ and the MSSS to provide official confirmations of Quebec class action group members (the "**Official Confirmations Order**");

CONSIDERING the *Application for an Extension of the Official Confirmations Order* dated January 16, 2026 (the "**Application**"), and the exhibits and the affidavit filed in support thereof;

1.THIS COURT ORDERS that the *Motion for an Extension of the Official Confirmations Order* (the "**Application**") is granted,

2. THIS COURT ORDERS that unless otherwise specifically defined herein, defined terms used in the Order have the same meaning as in the Official Confirmations Order and in the Application;

3. THIS COURT AUTHORIZES Santé Québec, through its institutions (collectively, "**Santé Québec**"), upon request of any person asserting the status of an heir or representative of the estate of a Deceased Tobacco Victim (each, a "**Requesting Claimant**"), to make a copy of any medical record of a Deceased Tobacco Victim in its possession referring to a diagnosis with a Compensable Disease ("**Medical Records**") and to provide such Medical Records directly, and only, to:

(a) the QCAP Agent, if the Requesting Claimant has initiated a claim under the Quebec Administration Plan via the QCAP Agent;

(b) the PCC Agent, if the Requesting Claimant has initiated a claim under the PCC Compensation Plan via the PCC Agent; or

(c) the Claims Administrator, if the Requesting Claimant has made a claim under either compensation plan directly to the Claims Administrator;

4. THIS COURT ORDERS that the following medical records shall constitute the Medical Records which Santé Québec is authorized to provide directly to the QCAP Agent, the PCC Agent, or the Claims Administrator, as applicable, pursuant to this Order:

(a) In respect of claims relating to Primary Lung Cancer and Primary squamous cell cancer of the throat (larynx, oropharynx or hypopharynx):

(i) All file notes and summary sheets dated prior to March 9, 2019, referring to the primary lung or throat cancer diagnosis of the Deceased Tobacco Victim;

(ii) All test results dated prior to March 9, 2019, referring to the primary lung or throat cancer diagnosis of the Deceased Tobacco Victim including but not limited to:

1. Pathology reports;
2. Operative reports;
3. X-ray reports;
4. Biopsy reports;
5. CT Scan reports;
6. Sputum Cytology reports;
7. MRI reports;
8. PET scan reports;

(b) In respect of claims relating to Emphysema and COPD (GOLD Grade III and IV):

(i) All file notes and summary sheets dated prior to March 9, 2019, referring to the Emphysema or COPD diagnosis of the Deceased Tobacco Victim;

(ii) All test results dated prior to March 9, 2019, referring to the Emphysema or COPD diagnosis including but not limited to:

1. Spirometry test results;
2. X-ray reports;
3. CT Scan reports;

5. THIS COURT AUTHORIZES Santé Québec to advise the QCAP Agent, the PCC Agent, or the Claims Administrator, as applicable, if it is not in possession of any responsive Medical Records in respect of a Deceased Tobacco Victim following a request from a Requesting Claimant;

6. THIS COURT AUTHORIZES the QCAP Agent, the PCC Agent, or the Claims Administrator, as applicable, to notify a Requesting Claimant if they are advised that Santé Québec is not in possession of responsive Medical Records in respect of the Deceased Tobacco Victim in respect of whom the Requesting Claimant has made a request;

7. THIS COURT AUTHORIZES Santé Québec to communicate Medical Records to the QCAP Agent, PCC Agent and/or the Claims Administrator, as applicable, without any verification as to the status of the Requesting Claimant in respect of the subject

Deceased Tobacco Victim, notwithstanding section 27 of the *Act respecting health and social services information*, CQLR chapter R-22.1.

8. THIS COURT AUTHORIZES the QCAP Agent, the PCC Agent, and the Claims Administrator, as applicable, to communicate, if applicable, a copy of the Medical Records, excluding any personal information from or concerning a third party and any sensitive personal information unrelated to the diagnosis in question, to a Requesting Claimant that has proven to its satisfaction in the manner set forth in the subject compensation plan their status as either an (i) heir or heir of an heir of the Deceased Tobacco Victim (ii) the estate trustee or liquidator of the estate of the Deceased Tobacco Victim, or (iii) the legal representative of a person referenced in (i) or (ii);

9. THIS COURT AUTHORIZES in circumstances where the Requesting Claimant is submitting a claim via the QCAP Agent or the PCC Agent, the QCAP Agent and the PCC Agent, as applicable, to communicate the Medical Records, or any relevant extract thereof, to the Claims Administrator in Ontario once the claimant has provided consent to the transmission of medical information to the Claims Administrator;

10. THIS COURT AUTHORIZES the QCAP Agent or the PCC Agent, as applicable, to communicate the Medical Records to the other Official Agent if it is determined that a claim initiated under the Quebec Administration Plan should be initiated under the PCC Compensation Plan or *vice versa;*

11. THIS COURT AUTHORIZES the Official Agents to provide the RAMQ with the complete information they hold concerning Deceased Tobacco Victims for whom the Succession Claimants or the PCC Quebec Estate Claimants do not have a Health Insurance Number, and for whom it was not possible to successfully match the information previously obtained from the Official Registers;

12. THIS COURT AUTHORIZES the RAMQ to validate the identity of the deceased Tobacco Victims appearing on the lists previously transmitted and created from the Official Registers held by the government that are in the RAMQ's possession, to the QCAP Agent or to the PCC Agent, as applicable;

13. THIS COURT AUTHORIZES the RAMQ to validate the identities of the subject Deceased Tobacco-Victim in accordance with paragraph 17 hereof and communicate such information to the to the QCAP Agent, PCC Agent and/or the Claims Administrator, as applicable, without any verification as to the status of the Requesting

Claimant in respect of the subject Deceased Tobacco Victim, notwithstanding section 27 of the *Act respecting health and social services information*, CQLR chapter R-22.

14. THIS COURT ORDERS the QCAP Agent, the PCC Agent and the Claims Administrator (collectively the "**Authorized Parties**") to use the Medical Records in accordance with the powers, rights, and obligations as set forth in the CCAA Plans, the Quebec Administration Plan, the PCC Compensation Plan, the Sanction Orders dated March 6, 2025, the Claims Administrator Orders dated August 27, 2025, and any other order that may be issued with respect thereto;

15. THIS COURT ORDERS the Authorized Parties to take all appropriate measures to protect the confidentiality of the Medical Records and to ensure that they are used only for the purpose of asserting a claim under the Quebec Administration Plan or the PCC Compensation Plan, as applicable;

16. THIS COURT ORDERS that the Authorized Parties shall take the same steps to protect the confidentiality of any Medical Records disclosed to them as are required pursuant to the Official Confirmations Order and the compensation plans;

17. THIS COURT ORDERS the Authorized Parties not to disclose or host the Medical Records outside of Quebec, except for the purpose of transmitting the Medical Records to the Claims Administrator in Ontario, who shall be permitted to host such Medical Records in Ontario;

18. THIS COURT ORDERS the Authorized Parties to immediately advise the person responsible for protecting information at Santé Québec of any breach or attempted breach by any person of any of the obligations related to the protection of the Medical Records or any information contained therein provided for in this Order, and to allow Santé Québec to conduct any verifications or investigations related to the protection of information communicated under this Order;

19. THIS COURT ORDERS the Authorized Parties not to retain the Medical Records and to securely destroy them along with any copies thereof three years following the end of the distribution process provided for in the Quebec Administration Plan or in the PCC Compensation Plan, as applicable, forming part of the CCAA Plans;

20. THIS COURT ORDERS that, except with prior leave of the Quebec Superior Court, no action lies against Santé Québec, RAMQ, MSSS or the Authorized Parties as a result of the carrying out of the provisions of this Order, including without limitation, in

connection with any determinations made by Santé Quebec as to which Medical Records are provided to the Authorized Parties and any subsequent communication by the Authorized Parties of such Medical Records to any Requesting Claimants, whether or not their succession status is ultimately established.

21. THIS COURT ORDERS that this Order and all of its provisions are effective as of 12:01 a.m. on the date hereof and is enforceable without further need for entry or filing.



Chief Justice G.B. Morawetz

IMPERIAL TOBACCO CANADA LIMITED

-and-

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ONTARIO
SUPERIOR COURT OF JUSTICE

Proceeding commenced at Toronto

ORDER

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