

SCHEDULE “D” - DISTRIBUTION PROTOCOL

1. The Settlement Amount shall be paid by the Defendants to Class Counsel upon approval of the Settlement by the Court, and shall first be used to pay the following amounts:
 - a. \$1,461,578.72 to Class Counsel for legal fees, inclusive of applicable taxes; and
 - b. \$295,000.00 to Class Counsel for disbursements, inclusive of applicable taxes.

2. Class Counsel will hold back, in trust, the remaining balance of the Settlement Fund “**Net Settlement Fund**”) until the claims review process is complete.

3. Once the claims review process has been completed by Class Counsel and the Arbitrator, Class Counsel will distribute the Net Settlement Fund in the following order and in the following amounts (subject to the outcome of the review process which may increase or decrease the amounts allocated to each fund):
 - a. \$105,000.00 minus applicable legal fees shall be paid to OHIP in full satisfaction of any and all subrogated claims it may have arising from the cost of insured services provided to Eligible Class Members related to the Class Action;
 - b. The amount payable to the Arbitrator;
 - c. \$2,228,000.00 (the “**Severe Claims Fund**”) shall be distributed among those Eligible Class Members with “severe” claims based on Class Counsel Assessments, Class Counsel Reassessments or Review Assessments, as the case may be; and
 - i. \$18,000.00 of the Severe Claims Fund shall be distributed among these Eligible Class Members’ *Family Law Act* claimants with identifiable and documented income loss claims.
 - d. \$605,000.00 (the “**Moderate Claims Fund**”) shall be distributed among those Eligible Class Members with “moderate” claims based on Class Counsel Assessments, Class Counsel Reassessments or Review Assessments, as the case may be; and

- e. \$542,000.00 (the “**Other Claims Fund**”) shall be distributed among those Eligible Class Members with claims that are neither severe nor moderate and are based on Class Counsel Assessments, Class Counsel Reassessments or Review Assessments, as the case may be.
4. If any balance remains in the Net Settlement Fund following payment of the above amounts, it shall be distributed *pro rata* to each Eligible Class Member.