

SCHEDULE B –
AMENDED DISTRIBUTION PROTOCOL AND ADMINISTRATOR’S GUIDELINES

1. The Claims Deadline shall be 90 days after the date the Claims Administrator commences the noticing program by emailing and mailing the short form Notice of Certification and Settlement Approval to the Affected Class Members.
2. Only Affected Class Members who are listed in the Final Affected Class Member List will qualify to receive compensation under the Settlement.
3. All Affected Class Members who submit a valid Claim Form by the Claims Deadline are Eligible Class Members and will be entitled to an equal share of the net Settlement Fund.
4. The Claims Administrator shall determine whether a claimant is an Eligible Class Member using the Final Affected Class Member List and comparing that List to the Claim Forms received by the Claims Deadline or any extension thereof.
5. The Claims Administrator will promptly provide notice to any claimant who is not on the Final Affected Class Member List that they are not an Eligible Class Member and therefore not entitled to receive a payment under the Settlement (the “Disqualification Notice”).

There will be no right of appeal from the decision of the Claims Administrator with respect to qualification or disqualification as an Eligible Class Member.

6. The Claims Administrator shall have the absolute discretion to accept otherwise valid claim forms received within 25 days after the Claims Deadline, if the Affected Class Member provides a reasonable explanation for the delay in the submission of the claim form arising from circumstances beyond the Affected Class Member’s control. The decision of the Claims Administrator to accept or reject any late claim forms shall not be subject to review or appeal.
7. Claims may be made on behalf of the Estate of any deceased Affected Class Member by the Executor of the Estate providing proof of death of the Affected Class Member, and their appointment as Executor in a form satisfactory to the Claims Administrator in its sole discretion. If an Estate claim is accepted for a deceased Affected Class Member, the payment shall be made to the Executor on behalf of the Estate as the Executor may direct.
8. As soon as possible following the expiry of the Claims Period, inclusive of the 25-day extension, the Claims Administrator will distribute the net Settlement Funds to the Eligible Class Members on a pro rata basis ~~by sending to each Eligible Class Member an electronic fund transfer. Eligible Class Members may elect to receive their payment by cheque, in which case the total amount to be paid to them will be reduced by \$5.00 to account for the additional administration costs.~~
9. Six months after the last cheque has been delivered to Eligible Class Members, any uncashed settlement cheques shall be stale-dated. Any amount remaining in the Settlement

Fund shall then be paid, *cy-près*, to the Public Interest Advocacy Centre to be allocated towards its services in respect of consumer privacy issues.

10. The Claims Administrator will report to the Court regarding the disposition of the Net Settlement Fund to Eligible Class Members, including the number of Eligible Class Members to whom payments were made, the payment of the Settlement Administration Expenses, and the distribution of any remaining Settlement Fund *cy-près*, to the Public Interest Advocacy Centre. The report to the Court shall be delivered to Class Counsel, the lawyers for the Defendants and to the Court as soon as practicable after the completion of the Settlement administration.