

NOTICE OF COURT HEARING FOR SETTLEMENT APPROVAL

HUNT et al. v. MEZENTCO SOLUTIONS INC., et. al.
(Chemotherapy Dilution Dosing Incident Class Action)

Read this notice carefully as it may affect your rights.

Who is the Notice For:

You are a Class Member in this class action if you were one of the 1202 cancer patients, or their estates, who underwent chemotherapy treatment at Windsor Regional Hospital, London Health Sciences Centre, Lakeridge Health, Peterborough Regional Health Centre or the Regional Health Authority B (Saint John Regional Hospital) ("Hospitals"), between February 6, 2012 and April 2, 2013 ("Class Period"). You are a Family Class Member if you are a living partner, spouse, child, grandchild, parent, grandparent or sibling of a Class Member.

What is the Action About:

The Class Action lawsuit alleges that the negligence of Mezentco Solutions Inc., c.o.b. Marchese Hospital Solutions, Mezentco Inc., c.o.b. Marchese Health Care and MedBuy Corporation (collectively, the "Defendants") caused Class Members to receive lower than intended dosages of the chemotherapy drugs cyclophosphamide and/or gemcitabine (the "Dosing Incident").

Proposed Settlement:

The Plaintiffs have entered into a proposed Settlement Agreement with the Defendants and Hospitals. This Settlement requires court approval before it can become effective.

The Settlement represents a resolution of disputed claims, and the Defendants and Hospitals do not admit any wrongdoing or liability in connection with the Class Action. If approved by the Court, this Settlement Agreement fully and finally resolves the Class Action against the Defendants and Hospitals.

According to the Settlement Agreement, the Defendants and Hospitals will collectively pay \$2,375,000, including legal fees and expenses, and expenses to administer the settlement, to settle the claims of Class Members and Family Class Members as well as the claims of the Ontario and New Brunswick provincial health insurers:

- \$1,800,000 for payments to Class Members, divided equally among all Class Members who do not opt-out;
- \$0 for payments to Family Class Members;
- \$100,000 to Ontario and New Brunswick Provincial Health Insurers;
- \$75,000 to the court appointed Administrator to pay for the costs of notice and claims administration; and
- \$400,000 for class counsel fees, disbursements and taxes thereon.

Under the Settlement Agreement, the Defendants have agreed to also provide the Ontario Court with affidavits attesting to the steps they have taken to ensure the issues and concerns giving rise to the Dosing Incident have been satisfactorily addressed.

Settlement Approval Hearing

The Settlement and the proposed Class Counsel fees must be approved by the Ontario Court before it can come into effect. The Ontario Court will determine if the Settlement is fair and reasonable and in the best interests of the Class on January 10, 2017, at 10:30 a.m. at the Court House, 245 Windsor Avenue, Windsor, Ontario.

Class Members and Family Class Members who do not oppose the settlement need not appear at the hearing or take any other action at this time. All Class Members and Family Class Members who have not opted out have the right to present their arguments to the court if they oppose the settlement by making a written submission postmarked no later than December 7, 2016 to the Administrator identified below. If no written submission is filed, you may not be entitled to participate, through oral submissions or otherwise, in the settlement approval hearing.

If a Class Member or Family Class Member wishes to make an objection to the approval of the Settlement Agreement, they must forward their written statement to the Administrator no later than December 7, 2016.

Mail:
Marsh Canada, Administrator
Chemotherapy Dilution Class Action
P.O. Box 428, Station A
Toronto, ON M5W 1C2

Courier:
Marsh Canada, Administrator
Chemotherapy Dilution Class Action
120 Bremner Blvd., Suite 800
Toronto, ON M5J 0A8

Email: Chemotherapydilutionclassaction@marsh.com
Phone: 1.866.647.7520
Fax: 1.800.997.4609

The written objection should include the following information:

1. The individual's name, address, telephone number, fax number and e-mail address.
2. A description of the reasons that the individual believes that he or she is a member of a class described above.
3. A brief statement of the nature of and reasons for the objection.
4. Whether he or she intends to appear at the Court hearing in person or through a lawyer and if through a lawyer, the lawyer's name, address, telephone number, fax number and e-mail address.

Opting Out

Class Members who want to participate in the settlement are automatically included and should **not** file the Opt Out Form discussed below.

If you **do not** wish to be bound by the Settlement Agreement, you must **opt out** of the lawsuit. To opt out, you must complete an Opt-Out Form, which can be obtained by contacting: Marsh Canada, Administrator at 1.866.647.7520 or downloaded at: www.chemotherapydilutionclassaction.com.

This form must be returned to the Administrator no later than December 7, 2016. No further opportunity to opt out will be provided. An individual who opts out will not be eligible to participate in the Settlement. Any right to pursue a claim in a separate proceeding will not be affected. The Defendants and Hospitals have reserved all of their arguments based on statutes of limitation, prescription or repose for Class Members and Family Class Members who opt out of the Settlement.

No person may opt out a minor or a mentally incapable individual without permission of the Court after notice to the Children's Lawyer and/or Public Guardian and Trustee, as applicable.

If a Class Member opts out, his or her Family Class Members will be deemed to have opted out also. The Family Class Members of any Class Member cannot opt out unless the Class Member does so as well. If a Class Member is deceased, his or her estate trustee has the right to opt out.

Additional Information:

If approval is granted, and the Settlement Agreement is not terminated, payments to Class Members will follow (except all payments to minors must be paid into Court until the minor attains the age of 18).

Questions for Class Counsel should be directed as follows:

SUTTS, STROSBERG LLP
Tel: 519.561.6274
Email: sharon@strosbergco.com

McKENZIE LAKE LAWYERS LLP
Tel: 519.672.5666 ext. 343
Email: lombardi@mckenzielake.com

This notice contains a summary of some of the terms of the Settlement Agreement. If there is a conflict between this notice and the Settlement Agreement, the terms of the Settlement Agreement shall prevail.