CHERK OF THE COURT

JUL 23 2015 JUDICIAL CENTRE OF CALGARY

COURT FILE NO.

0501 08152

COURT

COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE

CALGARY

PLAINTIFFS

DOUGLAS ALEXANDER and WILLIAM BARRETT, as Representative Plaintiffs

**DEFENDANTS** 

HMS FINANCIAL INC., et al

DOCUMENT

DOCUMENT

ORDER

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File: 251207

DATE ON WHICH ORDER WAS PRONOUNCED:

July 16, 2015

LOCATION WHERE ORDER WAS PRONOUNCED:

**EDMONTON, ALBERTA** 

NAME OF JUDGE WHO MADE THIS ORDER: ASSOCIATE CHIEF JUSTICE JOHN D. ROOKE

UPON THE APPLICATION of the Plaintiff Class; AND UPON having read Affidavit No. 11 of Michelle Borysiuk, to be filed; AND UPON this Order incorporating by reference the defined terms contained in Affidavit No. 11 of Michelle Borysiuk, IT IS HEREBY ORDERED THAT:

- 1. The amount of \$73.13 be added to the funds to be distributed under the Third Payout;
- 2. The Calculation of Total Funds for Payout be approved in the form attached to the Affidavit No. 11 of Michelle Borysiuk;
- 3. The date of December 1, 2015 for any application for a fourth distribution be amended to February 15, 2016;
- 4. No further reporting of the Third Payout is required, so long as the Third Payout proceeds in accordance with Exhibit "A" attached to the Affidavit No. 11 of Michelle Borysiuk; and
- 5. An Affidavit reporting any additional funds donated to the Canadian Red Cross will be filed in 2016.

- 6. Notice of this Application to the Defendants and to Class Members is waived.
- 7. In all other respects, the pending and any future, distributions shall be carried out on the same basis as the initial distribution of funds, pursuant to the Administration Plan and in accordance with the July 26, 2011, September 12, 2013 and May 21, 2015 Orders of this Honourable Court.
- 8. Costs of this Application shall be in the cause.

ASSOCIATE CHIEF JUSTICE OF THE COURT OF QUEEN'S

BENCH OF ALBERTA