

NOTICE OF HEARING TO APPROVE PROPOSED CANADA POST CLASS ACTION SETTLEMENT

If you were a CUSTOMER OF CANADA POST who was charged shipping charges on a basis other than actual weight between January 1, 2000 and December 31, 2007, for parcels shipped within Canada your rights could be affected by the proposed class action settlement.

What is the Class Action About?

Plaintiff claims that Canada Post based shipping charges on practices which violated measuring and pricing rules under the *Weights and Measures Act* and may have resulted in increased shipping charges for the Class. This action was certified as a national class proceeding by the Ontario Superior Court of Justice.

Who is Included in the Class Action?

Customers of Canada Post who had or have an agreement with Canada Post covering periods of one or more years and setting out the terms of parcel shipping services provided by Canada Post to them (referred to by Canada Post as any of a "Canada Post Account", "Commercial Account" or "Small Business Account" or similar term) and who were charged shipping charges on a basis other than actual weight between January 1, 2000 and December 31, 2007, for parcels shipped within Canada, and who did not previously exclude themselves by opting-out of this lawsuit. If you fit the above description, you are a Class Member.

What is the Proposed Settlement?

The Proposed Settlement is subject to Court Approval. Although Canada Post continues to deny liability, it has reached a settlement with the plaintiff whereby Canada Post has or will discontinue the practices that are the subject of the complaints. Canada Post will also pay \$5,050,000.00 for claims and make a contribution of \$1,300,000.00 towards the plaintiff's legal costs with the balance to be paid out of the \$5,050,000.00. It is estimated that after payment of administration expenses, legal fees, disbursements and taxes, approximately \$3,000,000.00 will be available for distribution to the class. The Plaintiff is proposing that the net settlement funds be distributed approximately in proportion to the shipping charges incurred by class members who apply for payment.

For further details of the proposed settlement **click here** or contact Class Counsel or the Settlement Administrator or go to the websites as explained below.

When & What is the Settlement Approval Hearing?

A hearing to consider approval of the settlement and Class Counsel fees will be heard by the Ontario Superior Court in the City of Toronto on Wednesday, October 30, 2013 at 10:00 o'clock a.m. Class Members will be bound by the terms of the settlement agreement, if approved by the Court.

If you wish to comment on or object to the settlement, you should do so in writing mailed to Class Counsel by no later than Monday, September 23, 2013. If you do not do so, the Court may permit you to object to the settlement or appear at the hearing, but is not required to do so.

How to Get Further Information

For further information on the Claim, proposed settlement, the approval hearing or how to comment on or object to the proposed settlement go to:

For the **Settlement Administrator**:

www.parcelshippingcharges.ca, or email to info@parcelshippingcharges.ca, or call toll free 1 (800) 801-2521.

For **Class Counsel**: www.blaney.com or call (416) 593-2996 or write to Blaney, McMurtry LLP (attn. Canada Post Class Action) 1500-2 Queen St. E., Toronto, Ontario M5C 3G5 or email parcels@blaney.com

Do NOT contact the Court