

CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTREAL
No.: 500-06-000834-164

SUPERIOR COURT
(Class Action)

ROBERT LANDRY

Petitioner

v.

CONCORDIA INTERNATIONAL CORP.

-and-

MARK THOMPSON

-and-

ADRIAN DE SALDANHA

Respondents

v.

FONDS D'AIDE AUX ACTIONS COLLECTIVES

Mise en cause

MOTION FOR CLOSURE

TO THE HONORABLE JUSTICE PIERRE-C. GAGNON OF THE SUPERIOR COURT OF QUEBEC, SITTING AS CASE MANAGEMENT JUDGE, THE PETITIONER RESPECTFULLY STATES AS FOLLOWS:

1. The whole as more fully appears from the Court record, this matter has been the subject of a Court approved settlement, whereby Defendants have paid the sum of US\$18 million to fully and finally resolve all claims in these proceedings;
2. As this Honourable Court is aware, an Order was issued by the Ontario Superior Court of Justice such that the ex-Québec component of these proceedings have been concluded;
3. The whole as appears from the “Jugement concernant diverses modalités d’exécution de la convention de règlement” dated December 2, 2020, this Honourable Court ordered the Administrator to complete final administrative tasks and then inform the Court of their completion so that a closing judgment may be issued;

4. As appears from the Affidavit of the Administrator attached hereto as Exhibit P-1, the final administrative tasks have now been completed and the Administrator hereby seeks final discharge in accordance with the terms as previously ordered by this Court and further seeks that this file be declared closed;
5. The Administrator has accounted for all fees and expenses incurred and to be incurred in this matter throughout to conclusion;
6. As appears from Exhibit P-1, the Administrator is hereby requesting that final payments be made as follows:
 - i) the *Fonds d'aide aux actions collectives* shall be paid \$127,246.25;
 - ii) the Administrator will be paid \$37,125 plus HST for fees and \$9,572.33 plus HST for disbursements; and
 - iii) the Administrator's Affidavit contains an error at paragraph 47 and requests the entirety of the *cy-près* be remitted to charity. In fact, the *cy-près* of \$17,489.52 should be divided in payments of \$8,744.76 to the *Fonds d'aide aux actions collectives* according to the applicable levy and \$8,744.76 will be paid to Médecins Sans Frontières. As appears from paragraph 39 of the Plan of Allocation "the remaining funds shall be paid *cy-près* to a recipient selected by Class Counsel and approved by the Applicable Court or Courts". Class counsel view Médecins Sans Frontières as an outstanding charity doing good works in health care, and is therefore related to the Defendants in this action;
7. Class Counsel supports the relief sought by the Administrator, save the error at paragraph 47, and requests that this Honourable Court issue an order accordingly;
8. It is in the interests of justice that this motion be granted.
9. All parties consent to the relief sought.

FOR THESE REASONS, MAY IT PLEASE THIS HONORABLE COURT TO:

ACCEPT the present motion;

ISSUE an order in accordance with the attached Annex A;

DECLARE this matter closed;

THE WHOLE WITHOUT COSTS.

MONTREAL, this 2nd day of November, 2022

(S) *Faguy & Co.*

FAGUY & CO. BARRISTERS & SOLICITORS INC.
Attorneys for the Petitioner

**ONTARIO
SUPERIOR COURT OF JUSTICE**

BETWEEN:

RONALD J. VALLIERE and SHAUNTELLE PAUL

Plaintiffs

- and -

CONCORDIA INTERNATIONAL CORP., MARK THOMPSON
and ADRIAN DE SALDANHA

Defendants

And

Court File No.: 500-06-000834-164

**QUÉBEC
SUPERIOR COURT OF JUSTICE**

BETWEEN:

ROBERT LANDRY

Plaintiffs

- and -

CONCORDIA INTERNATIONAL CORP., MARK THOMPSON
and ADRIAN DE SALDANHA

Defendants

AFFIDAVIT OF PAUL BATTAGLIA
(Sworn October 18, 2022)

25th A

I, **PAUL BATTAGLIA**, of the City of St. Catharines, in the Province of Ontario, **MAKE OATH AND SAY:**

1. I submit this affidavit as President and Founder of Trilogy Class Action Services ("**Trilogy**"), a class action claims administration, advertising, notification, and notice plan firm located in St. Catharines, Ontario, Canada;
2. I submit this affidavit at the request of the Court pursuant to paragraph 24 of the Jugement Concernant Diverses Modalites D'Execution De La Convestion De Reglement dated December 2, 2020 ("**Quebec Approval Order**") Administrator's Final Report To The Courts of the claims administration so that the closing judgement may be issued;
3. I have personal knowledge of the facts attested to herein, except where stated to be on information and belief, and whereso stated, I have identified the source of my information, and, in each case, I believe the information to be true;
4. I submit and swear this affidavit in connection with the Concordia International Corp. ("**Concordia**") Canadian Securities Class Action Claims Administration;
5. Pursuant to the Order Authorizing a Class Action for Settlement Purposes and Approving the Settlement Agreement, of the Quebec Superior Court, dated October 26, 2018 (the "**Quebec Order**"), the Honourable Pierre-C. Gagnon, J.S.C. appointed Trilogy as the Administrator pursuant to the terms and conditions and with the powers, duties and

responsibilities set out in the Settlement Agreement and the Plan of Allocation, until further order of the Court;

6. Trilogy complied with its duties and responsibilities pursuant to the Settlement Agreement and Plan of Allocation and all subsequent Orders issued by the Court as described within this affidavit;
7. Trilogy established, and continues to maintain, the designated website, in English and French, at www.concordiasettlement.com. Trilogy posted updates with regards to the claims administration in the online claims administration portal and on the website in both French and English;
8. Trilogy established, and continues to maintain, a toll-free telephone line at 1-877-400-1211 where Class Members may call to ask questions or receive updates and information, in either English or French, about the Settlement and claims administration;
9. Trilogy established, and continues to maintain, designated email addresses at inquiry@trilogyclassactions.ca and claims@trilogyclassactions.ca where Class Members may email to ask questions or receive updates and information, in either English or French, about the Settlement and claims administration;
10. Trilogy established, and continues to maintain the fax number 416-342-1761 where Class Members may continue to fax correspondence;
11. Pursuant to the Administrator's Duties and Responsibilities, Trilogy developed, implemented and continues to operate and maintain an administration system utilizing

web-based technology through an online claims administration portal (“portal”) for the following core functions of the claims administration:

- (a) Class notification, as required;
- (b) Claim filing and supporting documentation collection;
- (c) Claim evaluation, analysis, and Reference procedures;
- (d) Distributions and distribution analysis;
- (e) Pro Rata Distribution payment amounts and status posted on the Authorized Claimant’s and Late Claimant’s profile page in the portal;

Authorized Claimants

- 12. Trilogy received 5,722 Claim Forms from 4,035 Claimants through the online claims administration portal and/or by regular mail and/or email and/or fax;
- 13. Trilogy processed \$220,796,760.40 in Maximum Entitlements;
- 14. Trilogy approved 3,363 Claim Forms;
- 15. Trilogy approved \$139,366,232.84 in Maximum Entitlements;
- 16. Trilogy rejected 1,865 Claim Forms;
- 17. Trilogy rejected \$70,699,344.81 in Maximum Entitlements;
- 18. Trilogy referred ten (10) References that were Rejected for a totaled of \$2,017,100.31 in Maximum Entitlements;
- 19. Trilogy rejected an additional thirteen (13) institutional Claim Forms that had capital gains in the amount of \$1,921,437.99 which cannot be deemed a Maximum Entitlement;

20. Trilogy designated 102 Claim Forms with a Maximum Entitlement of \$127,344.23 as “withdrawn” as these were deemed to be duplicate Claim Forms;
 21. Trilogy received \$8,377,529.90 USD from Class Counsel’s Escrow on March 8, 2019;
 22. Trilogy invested \$8,300,000.00 USD into a series of short-term GICs in the month of March and April 2019 that earned a total of \$8,192.65 USD in interest;
 23. Trilogy converted the \$8,377,529.90 USD and \$8,192.65 USD into \$11,258,168.95 Canadian Dollars (CAD) on April 26, 2019;
 24. The Settlement Fund earned \$231,498.95 interest on the \$11,000,000.00 invested into Guaranteed Investment Certificates (GIC) for a total of \$11,489,667.90 CAD Settlement Fund;
 25. Trilogy’s staff called and emailed these seventy-four Authorized Claimants to verify their mailing address and/or their email address and/or banking details to effectuate the second distribution through the reissuing of the cheque or by e-transfers or wire-transfers;
 26. Trilogy placed stop-payments on the seventy-four (74) pro rata payments and reissued the Pro Rata Distribution payments by cheque or by e-transfers or wire-transfers;
 27. The second distribution resulted in another fifty-four (54) Authorized Claimants receiving their Pro Rata Distribution payments. This included resending the Pro Rata Distribution Payment from the second distribution a second time as some cheques were returned and/or e-transfers were rejected. Trilogy continued to work with Authorized Claimants to assure
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payment was received. Nineteen (19) Authorized Claimants for a total of \$8,422.16 remains uncashed. Trilogy concluded the second distribution on May 6, 2022;

28. Trilogy consulted with Class Counsel, and it was agreed upon that if after sixty (60) days, these remaining twenty (20) Authorized Claimants who failed to cash their cheques or retrieve the funds sent by e-transfer, Trilogy shall allocate the remaining funds to a cy-pres payment pursuant to the Plan of Allocation;
29. Trilogy, after completion of the second distribution to the seventy-four (74) Authorized Claimants, Trilogy has \$17,489.52 available in the trust account for the cy-pres payment pursuant to the Plan of Allocation. See Exhibit "A";
30. Trilogy hereby concludes our Authorized Claimants final report to the Court for the Concordia Securities Canadian Class Action Settlement claims administration. We request that the Court release Trilogy as it has complied with its duties and responsibilities as the Court appointed Claims Administrator;

Late Authorized Claimants Approved by the Court

31. Pursuant to the paragraph 21 of the Quebec Approval Order dated December 2, 2020, the Court approved Trilogy's recommendations in paragraph 85 of Paul Battaglia's affidavit dated July 22, 2020, Trilogy allocated \$500,000 from the Net Settlement Fund with the Court's authorization and instruction to the Administrator to accept and process the Claim Forms filed past the Claims Bar Deadline ("***Late Authorized Claimants***") and/or ("***Late***" or "***Lates***") and make Pro Rata Distribution payments accordingly as if these Claimants filed prior to the Claims Bar Deadline;

32. Pursuant to Trilogy's recommendations, if there is residue remaining from the \$500,000 withheld for the "Late" Claimants, Trilogy recommended this outstanding balance be paid to the Fonds d'aide aux actions collectives ("*FAAC*");
33. Trilogy received 297 Late Claim Forms through the online claims administration portal and/or by regular mail and/or email and/or fax;
34. Trilogy processed 297 Late Claim Forms with \$5,434,481.07 in Maximum Entitlements;
35. Trilogy approved 182 Late Claim Forms with \$4,434,801.05 in Maximum Entitlements;
36. Trilogy rejected 105 Late Claim Forms with \$969,345.02 in Maximum Entitlements;
37. Trilogy had 5 five References Rejected Late Claim Forms with \$29,835.00 in Maximum Entitlements;
38. Trilogy designated 4 Late Claim Forms with a Maximum Entitlement of \$500.00 as "withdrawn";
39. Trilogy issued 182 cheques for a total of \$303,783.98 in Pro Rata Distribution payments;
40. There were six (6) Late Authorized Claimants who had yet to cash their cheques for a total of \$9,137.63 in outstanding Pro Rata Distribution payments. Trilogy placed stop-payments on these six (6) pro ratas cheques and effectuated payment by e-transfer. To the end, Trilogy called and/or emailed, in French for Quebec, these Late Authorized Claimants to confirm their email address;

41. Trilogy's staff called and emailed these Late Authorized Claimants to verify their mailing address and/or their email address and/or banking details to effectuate the second distribution through the reissuing of the cheque or by e-transfers or wire-transfers;
42. There are currently one (1) Late Authorized Claimant who failed to retrieve their e-transfer for a total of \$287.70 in outstanding Pro Rata Distribution payments;
43. Trilogy consulted with Class Counsel, and it was agreed upon that if after sixty (60) days, these remaining one (1) Late Authorized Claimants who failed to cash their cheques or retrieve the funds sent by e-transfer, Trilogy shall allocate the remaining funds to the payment for the FAAC;
44. Trilogy requests the Court approve compensation for the extraordinary time required to organize the Late Claim Forms into their various categories; correspond and discuss with TD Bank, CIBC and RBC of the significance, and consequences, of their practices of sending the Notice to their client based; correspond with Class Members who requested permission to submit their Claim Forms after the Claim Bar Deadline; consult with Class Counsel on this issue; produce a second online claims administration portal to accommodate the various categories of "Lates"; prepare the Late Authorized Claimants redacted and unredacted lists for the Court; preparing my recommendations to the Court in affidavit format; preparing the detailed list of Class Members from Quebec for the FAAC; negotiating with FAAC on this issue; responding to the various and numerous demands of the FAAC; adjudicating the Late Claim Forms as a separate claims administration; opening a designated Late Authorized Claimants trust account and ordering separate cheques for the disbursements of settlement funds to Late Authorized Claimants; preparing separate

updates for Late Authorized Claimants; sending separate Claim Determination Notices to Late Authorized Claimants; separate book keeping and accounting of the late settlement funds, including tax reporting and filing;

45. Trilogy requests \$125 per Late Claim Form for the 297 processed and adjudicated for a total of \$37,125 plus \$9,572.33 plus HST from the remaining \$79,990.26 in the Authorized Claimants trust account. Please note that the \$125 per Claim Form was approved by the Court for the Authorized Claimants;
46. In conclusion, Trilogy requests that the Court approve a payment to FAAC in the amount of \$127,246.25 from the designated Late Authorized Claimants trust account minus ongoing monthly bank fees of \$5.00 until this matter is resolved. Please see Exhibit "B".
47. In conclusion, Trilogy requests that the Court approve a cy-pres payment to medecins sans frontieres in the amount of \$17,489.52 from the designated Authorized Claimants trust account minus ongoing monthly bank fees of \$5.00 until this matter is resolved. Please see Exhibit "A".
48. Once the above-mentioned payments have been affected and funds set aside for payment as mentioned above, Trilogy will have exhausted all funds held by it in connection with these proceedings; and
49. Trilogy hereby concludes our Late Authorized Claimants final report to the Court for the Concordia Securities Canadian Class Action Settlement claims administration. We request that the Court release Trilogy as it has complied with its duties and responsibilities as the Court appointed Claims Administrator and to the FAAC.

SWORN OR AFFIRMED before me by
video conference on October 25, 2022



A Commissioner for Taking Affidavits



Paul Battaglia

EXHIBIT "B"

March 31, 2021 Transferred from Concordia Trust Account		\$500,000.00
June 30, 2021	March-June 2021 Monthly Bank Fee	\$25.00
July 6, 2021	CHQ#00162-0148986374	\$898.72
July 6, 2021	CHQ#00074-4140190464	\$2,700.27
July 6, 2021	CHQ#00120-3143559317	\$168.50
July 7, 2021	CHQ#00094-0140079590	\$393.93
July 7, 2021	CHQ#00031-3144055652	\$17,747.67
July 7, 2021	CHQ#00043-0140280923	\$1,802.92
July 7, 2021	CHQ#00087-4140806229	\$388.40
July 7, 2021	CHQ#00023-4140883635	\$959.69
July 7, 2021	CHQ#00086-1143602262	\$767.71
July 7, 2021	CHQ#00038-4140914046	\$261.02
July 7, 2021	CHQ#00168-1143849534	\$256.00
July 7, 2021	CHQ#00032-2141874913	\$10,783.30
July 7, 2021	CHQ#00037-3143697695	\$21.35
July 7, 2021	CHQ#00024-3144004994	\$193.99
July 7, 2021	CHQ#00071-4140451809	\$2,616.02
July 7, 2021	CHQ#00047-3144226112	\$1,882.38
July 8, 2021	CHQ#00041-0141237548	\$101.04
July 8, 2021	CHQ#00149-1144459143	\$33.53
July 8, 2021	CHQ#00076-2142766105	\$69.72
July 8, 2021	CHQ#00044-4141286544	\$1,345.34
July 8, 2021	CHQ#00130-4141346163	\$686.88
July 8, 2021	CHQ#00057-0141159644	\$1,056.27
July 8, 2021	CHQ#00114-1144445577	\$2,031.71
July 8, 2021	CHQ#00123-2142419749	\$484.95
July 8, 2021	CHQ#00098-2142490480	\$1,368.51
July 8, 2021	CHQ#00090-2142535591	\$2,024.86
July 8, 2021	CHQ#00066-2142583906	\$458.47
July 8, 2021	CHQ#00176-3144369152	\$518.60
July 8, 2021	CHQ#00151-3144398465	\$2,554.37
July 8, 2021	CHQ#00083-3144510182	\$16,971.29
July 8, 2021	CHQ#00157-3144515585	\$3,310.95
July 8, 2021	CHQ#00139-4141200273	\$5,230.80
July 8, 2021	CHQ#00081-4141222422	\$1,238.48
July 8, 2021	CHQ#00073-4141249311	\$252.77
July 8, 2021	CHQ#00009-2142991099	\$255.39
July 8, 2021	CHQ#00131-4141444764	\$653.32
July 8, 2021	CHQ#00141-4141535085	\$57.13
July 9, 2021	CHQ#00091-1145053941	\$122.96
July 9, 2021	CHQ#00155-2143473859	\$363.94
July 9, 2021	CHQ#00170-2143478842	\$9,398.20
July 9, 2021	CHQ#00172-2143542958	\$15,487.85
July 9, 2021	CHQ#00117-1144846713	\$61.49
July 9, 2021	CHQ#00056-3140170181	\$95.80

July 9, 2021	CHQ#00079-4142024424	\$234.58	\$391,663.93
July 9, 2021	CHQ#00048-2143076908	\$200.68	\$391,463.25
July 9, 2021	CHQ#00132-4142091498	\$252.42	\$391,210.83
July 9, 2021	CHQ#00063-2143407931	\$27.23	\$391,183.60
July 9, 2021	CHQ#00088-3144998687	\$10,691.08	\$380,492.52
July 9, 2021	CHQ#00060-3145059704	\$1,618.90	\$378,873.62
July 9, 2021	CHQ#00061-3145059707	\$329.98	\$378,543.64
July 9, 2021	CHQ#00062-3145059710	\$283.32	\$378,260.32
July 9, 2021	CHQ#00004-3145141256	\$107.68	\$378,152.64
July 9, 2021	CHQ#00030-3145143053	\$186.87	\$377,965.77
July 9, 2021	CHQ#00022-4141586277	\$338.87	\$377,626.90
July 9, 2021	CHQ#00084-4141606794	\$633.28	\$376,993.62
July 9, 2021	CHQ#00078-4141609308	\$1,879.30	\$375,114.32
July 9, 2021	CHQ#00113-4141652061	\$149.12	\$374,965.20
July 9, 2021	CHQ#00127-4141895724	\$150.85	\$374,814.35
July 9, 2021	CHQ#00126-4141895739	\$452.84	\$374,361.51
July 9, 2021	CHQ#00042-4142012886	\$330.99	\$374,030.52
July 9, 2021	CHQ#00124-1140040014	\$248.24	\$373,782.28
July 9, 2021	CHQ#00154-1145219283	\$948.04	\$372,834.24
July 9, 2021	CHQ#00003-1145288775	\$151.69	\$372,682.55
July 9, 2021	CHQ#00001-1145288778	\$266.33	\$372,416.22
July 9, 2021	CHQ#00002-1145288781	\$650.07	\$371,766.15
July 9, 2021	CHQ#00034-4142257056	\$1,174.78	\$370,591.37
July 12, 2021	CHQ#00018-0142370903	\$117.82	\$370,473.55
July 12, 2021	CHQ#00010-0142602233	\$491.15	\$369,982.40
July 12, 2021	CHQ#00049-1140963861	\$2,964.84	\$367,017.56
July 12, 2021	CHQ#00036-1141001484	\$5,877.30	\$361,140.26
July 12, 2021	CHQ#00014-0142821680	\$332.14	\$360,808.12
July 12, 2021	CHQ#00093-1140134445	\$360.70	\$360,447.42
July 12, 2021	CHQ#00058-1140512286	\$1,277.87	\$359,169.55
July 12, 2021	CHQ#00140-1140654528	\$1,924.85	\$357,244.70
July 12, 2021	CHQ#00075-1140667626	\$2,212.55	\$355,032.15
July 12, 2021	CHQ#00160-1140673977	\$1,250.91	\$353,781.24
July 12, 2021	CHQ#00161-1140673980	\$137.17	\$353,644.07
July 12, 2021	CHQ#00092-2144430640	\$842.59	\$352,801.48
July 12, 2021	CHQ#00143-3140740697	\$1,276.44	\$351,525.04
July 12, 2021	CHQ#00025-3140885072	\$246.33	\$351,278.71
July 12, 2021	CHQ#00152-3141222743	\$215.57	\$351,063.14
July 12, 2021	CHQ#00007-3141243488	\$180.94	\$350,882.20
July 12, 2021	CHQ#00006-3141243491	\$106.93	\$350,775.27
July 12, 2021	CHQ#00180-3141309290	\$1,452.72	\$349,322.55
July 12, 2021	CHQ#00106-3141329177	\$351.65	\$348,970.90
July 12, 2021	CHQ#00156-4142457804	\$175.77	\$348,795.13
July 12, 2021	CHQ#00105-4142599791	\$888.99	\$347,906.14
July 12, 2021	CHQ#00174-4142946408	\$1,676.20	\$346,229.94
July 12, 2021	CHQ#00173-4142946411	\$988.11	\$345,241.83
July 12, 2021	CHQ#00175-4142946414	\$28,435.64	\$316,806.19

July 12, 2021	CHQ#00015-4142966820	\$1,811.83	\$314,994.36
July 12, 2021	CHQ#00115-4142995761	\$1,533.37	\$313,460.99
July 12, 2021	CHQ#00011-1141307064	\$151.32	\$313,309.67
July 12, 2021	CHQ#00145-2144928997	\$481.90	\$312,827.77
July 12, 2021	CHQ#00028-3141710843	\$6,575.01	\$306,252.76
July 13, 2021	CHQ#00171-4143205653	\$21,332.54	\$284,920.22
July 13, 2021	CHQ#00067-4143234582	\$1,906.36	\$283,013.86
July 13, 2021	CHQ#00104-4143679227	\$156.22	\$282,857.64
July 13, 2021	CHQ#00103-3142341455	\$504.85	\$282,352.79
July 14, 2021	CHQ#00122-0144286295	\$2,538.61	\$279,814.18
July 14, 2021	CHQ#00179-2140329580	\$1,509.06	\$278,305.12
July 14, 2021	CHQ#00146-4144541676	\$1,857.72	\$276,447.40
July 15, 2021	CHQ#00051-1142673615	\$221.67	\$276,225.73
July 15, 2021	CHQ#00050-1142675745	\$220.02	\$276,005.71
July 15, 2021	CHQ#00035-3143585633	\$185.36	\$275,820.35
July 15, 2021	CHQ#00164-1142782605	\$9,519.45	\$266,300.90
July 15, 2021	CHQ#00052-2140752283	\$221.67	\$266,079.23
July 15, 2021	CHQ#00017-3143037827	\$340.31	\$265,738.92
July 15, 2021	CHQ#00099-1143251028	\$2,724.98	\$263,013.94
July 16, 2021	CHQ#00101-0145625528	\$3,534.60	\$259,479.34
July 16, 2021	CHQ#00019-0145741982	\$762.82	\$258,716.52
July 16, 2021	CHQ#00059-1143941124	\$241.26	\$258,475.26
July 16, 2021	CHQ#00137-3144115928	\$216.67	\$258,258.59
July 16, 2021	CHQ#00138-3144115946	\$216.87	\$258,041.72
July 16, 2021	CHQ#00021-3144221150	\$363.05	\$257,678.67
July 16, 2021	CHQ#00102-1144267794	\$2,237.90	\$255,440.77
July 19, 2021	CHQ#00121-0146515217	\$1,176.15	\$254,264.62
July 19, 2021	CHQ#00065-0146741018	\$544.78	\$253,719.84
July 19, 2021	CHQ#00070-1144557909	\$26.27	\$253,693.57
July 19, 2021	CHQ#00013-1145041323	\$248.50	\$253,445.07
July 19, 2021	CHQ#00125-1145167287	\$940.37	\$252,504.70
July 19, 2021	CHQ#00150-1144955577	\$365.93	\$252,138.77
July 19, 2021	CHQ#00012-2142526900	\$46.40	\$252,092.37
July 19, 2021	CHQ#00097-2143006123	\$877.07	\$251,215.30
July 19, 2021	CHQ#00100-3144595664	\$1,198.07	\$250,017.23
July 19, 2021	CHQ#00082-3144779252	\$214.65	\$249,802.58
July 19, 2021	CHQ#00016-4141113750	\$1,235.74	\$248,566.84
July 19, 2021	CHQ#00077-4141226463	\$468.37	\$248,098.47
July 20, 2021	CHQ#00177-0147000707	\$49.52	\$248,048.95
July 20, 2021	CHQ#00178-2143697317	\$2,033.22	\$246,015.73
July 21, 2021	CHQ#00072-0148016897	\$1,008.59	\$245,007.14
July 21, 2021	CHQ#00027-4142646630	\$154.88	\$244,852.26
July 21, 2021	CHQ#00096-4142761695	\$2,298.93	\$242,553.33
July 22, 2021	CHQ#00045-0148507973	\$1,293.97	\$241,259.36
July 22, 2021	CHQ#00165-3141994361	\$1,534.06	\$239,725.30
July 22, 2021	CHQ#00095-3142101155	\$48.87	\$239,676.43
July 23, 2021	CHQ#00148-4144084863	\$1,760.45	\$237,915.98

July 26, 2021 CHQ#00085-0140327132	\$821.18	\$237,094.80
July 26, 2021 CHQ#00040-2141229685	\$5,315.60	\$231,779.20
July 27, 2021 CHQ#00020-0140989442	\$1,418.98	\$230,360.22
July 27, 2021 CHQ#00107-3143889551	\$746.38	\$229,613.84
July 28, 2021 CHQ#00147-3144658544	\$714.01	\$228,899.83
July 29, 2021 CHQ#00068-3140204246	\$472.31	\$228,427.52
July 29, 2021 CHQ#00069-3140204258	\$58.91	\$228,368.61
July 30, 2021 MONTHLY PLAN FEE	\$5.00	\$228,363.61
July 30, 2021 SERVICE CHARGE	\$173.75	\$228,189.86
August 3, 2021 CHQ#00064-2140860289	\$6,021.27	\$222,168.59
August 5, 2021 CHQ#00135-4141258809	\$445.73	\$221,722.86
August 6, 2021 CHQ#00128-0146942594	\$185.98	\$221,536.88
August 9, 2021 CHQ#00055-0147237566	\$435.66	\$221,101.22
August 9, 2021 CHQ#00112-2143468822	\$133.58	\$220,967.64
August 12, 2021 CHQ#00163-0140049149	\$1,035.04	\$219,932.60
August 16, 2021 CHQ#00144-0141913043	\$111.05	\$219,821.55
August 16, 2021 CHQ#00053-0141526625	\$684.44	\$219,137.11
August 16, 2021 CHQ#00169-0141828482	\$517.14	\$218,619.97
August 16, 2021 CHQ#00116-1143996420	\$807.17	\$217,812.80
August 16, 2021 CHQ#00033-4140558012	\$457.50	\$217,355.30
August 16, 2021 CHQ#00129-0142315748	\$295.30	\$217,060.00
August 17, 2021 CHQ#00134-2142522052	\$2,754.82	\$214,305.18
August 18, 2021 RTN#00116 AMOUNT		\$807.17 \$215,112.35
August 20, 2021 CHQ#00039-4143834261	\$203.24	\$214,909.11
August 23, 2021 CHQ#00133-0145876250	\$95.08	\$214,814.03
August 23, 2021 CHQ#00089-2140077004	\$88.94	\$214,725.09
August 23, 2021 CHQ#00116-4145048184	\$1,807.17	\$212,917.92
August 26, 2021 CHQ#00142-1144088094	\$796.52	\$212,121.40
August 26, 2021 CHQ#00111-1144273680	\$239.72	\$211,881.68
August 26, 2021 CHQ#00110-1144273686	\$504.50	\$211,377.18
August 26, 2021 CHQ#00108-1144273695	\$112.48	\$211,264.70
August 30, 2021 CHQ#00029-2143127569	\$42.17	\$211,222.53
August 30, 2021 CHQ#00026-2143927414	\$44.72	\$211,177.81
August 31, 2021 CHQ#00166-3141285785	\$1,351.51	\$209,826.30
August 31, 2021 MONTHLY PLAN FEE	\$5.00	\$209,821.30
August 31, 2021 SERVICE CHARGE	\$23.75	\$209,797.55
September 13, 2021 CHQ#00008-0147727133	\$963.32	\$208,834.23
September 13, 2021 CHQ#00136-1143088872	\$411.82	\$208,422.41
September 20, 2021 CHQ#00109-2144692069	\$246.19	\$208,176.22
September 29, 2021 MONTHLY PLAN FEE	\$5.00	\$208,171.22
October 12, 2021 CHQ#00153-4144304493	\$374.01	\$207,797.21
October 12, 2021 CHQ#00159-1143335505	\$1,119.63	\$206,677.58
October 22, 2021 CHQ#00167-4144616922	\$442.30	\$206,235.28
October 29, 2021 MONTHLY PLAN FEE	\$5.00	\$206,230.28
November 19, 2021 STOP PAYMENT FEE	\$12.50	\$206,217.78
November 30, 2021 MONTHLY PLAN FEE	\$5.00	\$206,212.78
December 3, 2021 CHQ#00080-0143818700	\$284.74	\$205,928.04

December 14, 2021	CHQ#00119-4140796293	\$612.28	\$205,315.76
December 14, 2021	CHQ#00118-4140796296	\$221.99	\$205,093.77
December 31, 2021	MONTHLY PLAN FEE	\$5.00	\$205,088.77
January 31, 2022	MONTHLY PLAN FEE	\$5.00	\$205,083.77
February 28, 2022	MONTHLY PLAN FEE	\$5.00	\$205,078.77
March 31, 2022	MONTHLY PLAN FEE	\$5.00	\$205,073.77
April 29, 2022	MONTHLY PLAN FEE	\$5.00	\$205,068.77
May 6, 2022	SEND E-TFR ***sGn	\$287.70	\$204,781.07
May 6, 2022	SEND E-TFR FEE	\$1.50	\$204,779.57
May 6, 2022	SEND E-TFR ***yz4	\$2,700.27	\$202,079.30
May 6, 2022	SEND E-TFR FEE	\$1.50	\$202,077.80
May 6, 2022	CANCEL E-TFR ***yz4		\$2,700.27
May 6, 2022	SEND E-TFR ***TUx	\$177.83	\$204,600.24
May 6, 2022	SEND E-TFR FEE	\$1.50	\$204,598.74
May 6, 2022	SEND E-TFR ***WTZ	\$107.89	\$204,490.85
May 6, 2022	SEND E-TFR FEE	\$1.50	\$204,489.35
May 6, 2022	SEND E-TFR ***xPR	\$3,630.50	\$200,858.85
May 6, 2022	SEND E-TFR FEE	\$1.50	\$200,857.35
May 6, 2022	SEND E-TFR ***p2v	\$311.57	\$200,545.78
May 6, 2022	SEND E-TFR FEE	\$1.50	\$200,544.28
May 6, 2022	SEND E-TFR ***rKS	\$285.00	\$200,259.28
May 6, 2022	SEND E-TFR FEE	\$1.50	\$200,257.78
May 6, 2022	SEND E-TFR ***Zcf	\$215.56	\$200,042.22
May 6, 2022	SEND E-TFR FEE	\$1.50	\$200,040.72
May 6, 2022	SEND E-TFR ***M6k	\$203.17	\$199,837.55
May 6, 2022	SEND E-TFR FEE	\$1.50	\$199,836.05
May 6, 2022	SEND E-TFR ***Pp2	\$278.01	\$199,558.04
May 6, 2022	SEND E-TFR FEE	\$1.50	\$199,556.54
May 6, 2022	SEND E-TFR ***K3h	\$224.05	\$199,332.49
May 6, 2022	SEND E-TFR FEE	\$1.50	\$199,330.99
May 6, 2022	JQ371 TFR-TO 5219509	\$311.57	\$199,019.42
May 6, 2022	JQ375 TFR-TO 5219509	\$285.00	\$198,734.42
May 6, 2022	JQ302 TFR-TO 5219509	\$215.56	\$198,518.86
May 6, 2022	JQ390 TFR-TO 5219509	\$203.17	\$198,315.69
May 6, 2022	JQ393 TFR-TO 5219509	\$278.01	\$198,037.68
May 6, 2022	JQ401 TFR-TO 5219509	\$224.05	\$197,813.63
May 6, 2022	JR470 TFR-TO 5235904	\$4,500.00	\$193,313.63
May 6, 2022	JR475 TFR-TO 5235904	\$2,000.00	\$191,313.63
May 6, 2022	JR405 TFR-TO 5235300	\$10,500.00	\$180,813.63
May 6, 2022	JR494 TFR-TO 5235904	\$1,365.00	\$179,448.63
May 6, 2022	JR520 TFR-TO 5235300	\$2,500.00	\$176,948.63
May 6, 2022	JR523 TFR-TO 5235904	\$325.00	\$176,623.63
May 6, 2022	JR535 TFR-TO 5235300	\$175.00	\$176,448.63
May 6, 2022	JR542 TFR-TO 5235904	\$22.75	\$176,425.88
May 6, 2022	JR552 TFR-TO 5235300	\$37,125.00	\$139,300.88
May 6, 2022	JR560 TFR-TO 5235904	\$4,826.25	\$134,474.63
May 6, 2022	JR500 TFR-TO 5235300	\$9,572.23	\$124,902.40

May 6, 2022 JR505 TFR-TO 5235904	\$1,244.39	\$123,658.01
May 31, 2022 MONTHLY PLAN FEE	\$5.00	\$123,653.01
May 31, 2022 SERVICE CHARGE	\$28.75	\$123,624.26
June 6, 2022 RECLAIM E-TFR ***sGn		\$287.70 \$123,911.96
June 6, 2022 REVERSE E-TFR FEE		\$1.50 \$123,913.46
June 6, 2022 RECLAIM E-TFR ***p2v		\$311.57 \$124,225.03
June 6, 2022 REVERSE E-TFR FEE		\$1.50 \$124,226.53
June 30, 2022 MONTHLY PLAN FEE	\$5.00	\$124,221.53
July 29, 2022 MONTHLY PLAN FEE	\$5.00	\$124,216.53
August 31, 2022 MONTHLY PLAN FEE	\$5.00	\$124,211.53
September 20, 2022 Transferred from Concordia trust		\$3,034.72 \$127,246.25
Estimated Funds available for FAAC		\$127,246.25

ANNEX A

SUPERIOR COURT
(Class Action)

CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTREAL

N°: 500-06-000834-164

DATE: •

PRESIDING: THE HONOURABLE PIERRE-C. GAGNON, J.S.C.

ROBERT LANDRY

Representative Plaintiff

vs.

CONCORDIA INTERNATIONAL CORP.

and

MARK THOMPSON

and

ADRIAN DE SALDANHA

Defendants

and

FONDS D'AIDE AUX ACTIONS COLLECTIVES

Mise en cause

**ORDER AUTHORIZING THE
MOTION FOR CLOSURE
(Art. 596 C.C.P.)**

**JUGEMENT AUTORISANT
LA DEMANDE DE CLÔTURE
(art. 596 C.p.c.)**

[1] **CONSIDERING** the Order issued by Justice Morawetz in the Ontario Superior Court file number CV-17-584809-00CP;

[2] **CONSIDERING** the *Motion for Closure* filed by the Representative Plaintiff on ●, and the supporting Affidavit of Paul Battaglia;

[3] **CONSIDERING** that for the purposes of this Order, except to the extent that they are modified in this Order, the definitions set out in the Settlement Agreement and/or Plan of Allocation apply to and are incorporated in this Order;

[4] **CONSIDERING** that a Settlement Agreement was approved by this Court in this class action on October 26, 2018;

[5] **CONSIDERING** that the Settlement Agreement was duly implemented and executed by the parties;

[6] **CONSIDERING** that the Defendants do not oppose this *Motion for Closure*;

[7] **FOR THESE REASONS, THE COURT:**

[8] **GRANTS** the present *Motion for Closure*;

[9] **APPROVES** the Administrator's final report;

[1] **CONSIDÉRANT** le jugement rendu à la Cour Supérieure de Justice de l'Ontario par le juge Morawetz dans le dossier no CV-17-584809-00CP;

[2] **CONSIDÉRANT** la *Demande de clôture*, déposée par le Représentant demandeur le ●, et l'affidavit de Paul Battaglia au soutien;

[3] **CONSIDÉRANT** qu'aux fins du présent jugement, sauf dans la mesure où elles sont modifiées dans ce jugement, les définitions énoncées dans l'entente de règlement et / ou au plan d'attribution s'appliquent et sont incorporées dans le présent jugement;

[4] **CONSIDÉRANT** qu'une entente de règlement dans le cadre de cette action collective a été approuvée par cette Cour le 26 octobre 2018;

[5] **CONSIDÉRANT** que l'entente de règlement a dûment été mise en œuvre et exécutée par les parties;

[6] **CONSIDÉRANT** que les défendeurs ne s'opposent pas à la *Demande de clôture*;

[7] **POUR CES MOTIFS, LE TRIBUNAL :**

[8] **ACCUEILLE** la présente *Demande de clôture*;

[9] **APPROUVE** le rapport final de l'administrateur;

[10] **APPROVES** that outstanding fees of \$37,125 plus \$9,572.33, plus HST be paid to Trilogy Class Actions;

[10] **APPROUVE** que les frais impayés de \$37,125 plus \$9,572.33, plus TVH, soient payés à Trilogy Class Actions;

[11] **ORDERS** the sum of \$127,246.25 be paid to the Fonds d'aide aux actions collectives;

[11] **ORDONNE** que la somme de 127 246,25\$ soit payée au Fonds d'aide aux actions collectives;

[12] **ORDERS** that from the *cy-près* sum of \$17,489.52, \$8,744.76 be paid to Médecins Sans Frontières at the direction of class counsel and \$8,744.76 be paid to the *Fonds d'aide aux actions collectives*;

[12] **ORDONNE** que, de la somme *cy-près* de 17 489,52\$, 8 744,76\$ soient payés à Médecins Sans Frontières suite à la demande des avocats du groupe et 8 744,76\$ soient payés au Fonds d'aide aux actions collectives;

[13] **ORDERS** that Trilogy Class Actions is hereby discharged from acting as Administrator of the Settlement.

[13] **ORDONNE** que Trilogy Class Actions est par les présentes déchargée d'agir en tant qu'administrateur du règlement;

[14] **DECLARES** the present class action closed;

[14] **PRONONCE** la clôture de la présente action collective;

[15] **THE WHOLE** without costs.

[15] **LE TOUT** sans frais de justice.

PIERRE-C. GAGNON, J.S.C.

Mtre Shawn Faguy
FAGUY & CO. INC.,
Attorneys for the Representative Plaintiff

Mtre Marianne Ignacz
INF LLP
Attorneys for the Defendants

Mtre Frikia Belogbi
Mtre Nathalie Guilbert
FONDS D'AIDE AUX ACTIONS COLLECTIVES

Date of hearing: _____, 2022.

SUPERIOR COURT
(Class Action)
Province of Quebec
District of Montreal
N°: 500-06-000834-164

ROBERT LANDRY

Petitioner

v.

CONCORDIA INTERNATIONAL CORP.

-and-

MARK THOMPSON

-and-

ADRIAN DE SALDANHA

Respondents

v.

FONDS D'AIDE AUX ACTIONS COLLECTIVES

Mise en cause

MOTION FOR CLOSURE

ORIGINAL

FAGUY & Co.

BARRISTERS & SOLICITORS INC.

Me Shawn K. Faguy
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