

CANADA
PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL
No.: 500-06-000914-180

SUPERIOR COURT
(Class Action)

MAJESTIC ASSET MANAGEMENT LLC,
ès *qualités*, as manager, vested with the full
administration powers over the **TURN8**
TACTICAL EQUITY FUND

-and-

TURN8 PARTNERS INC.

Representative Plaintiffs

v.

THE TORONTO-DOMINION BANK

Defendant

-and-

FONDS D'AIDE AUX ACTIONS
COLLECTIVES

Mis-en-cause

APPLICATION TO AUTHORIZE A DISTRIBUTION
(section 598 CCP)

**TO THE HONORABLE JUSTICE DONALD BISSON OF THE SUPERIOR COURT OF
QUÉBEC, SITTING AS CASE MANAGEMENT JUDGE, THE REPRESENTATIVE
PLAINTIFFS RESPECTFULLY STATE AS FOLLOWS:**

1. As more fully appears from the Court record, this Class Action was settled further to the agreement of the parties and the order of this Honourable Court dated January 30, 2024 (the “**Approval Order**”).
2. Pursuant to the Approval Order, Rice Point Administration Inc. (the “**Administrator**”) was appointed to administer the settlement in accordance with the Approval Order and the Court-approved Modified Plan of Allocation (the “**Plan of Allocation**”).
3. Unless otherwise defined capitalized terms used herein are defined in the Approval Order and the Plan of Allocation;

4. Kurt Elgie, senior case manager for the Administrator, has executed a sworn statement in support of this Application to authorize a distribution, **Exhibit R-1**, and hereby seeks an order from this Court to proceed accordingly.
5. The Administrator has submitted a detailed report on the claims process as well as a Distribution plan and a Distribution List in compliance with paragraph 31 of the Plan of Allocation, as more fully appears from the Administrator's sworn statement, Exhibit R-1, and the exhibits appended thereto.
6. Subject to the Court's authorization, the Plaintiffs and the Administrator propose the Distribution of the Compensation Fund proceed in accordance with the Administrator's sworn statement.
7. The Administrator will thereafter reapply to this Honourable Court to request closure of these proceedings and to seek the Court's directions concerning the payment of any applicable levy to the *Fonds d'aide aux actions collectives*, as well as the allocation of any residual amount by way of *cy-près* to an approved third-party charitable organization.
8. No party opposes this application.

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

GRANT the present *Application to authorize a distribution*;

ORDER the Distribution of the Compensation Fund in accordance with the order attached as **Exhibit R-2**;

THE WHOLE without costs.

MONTREAL, May 27, 2025

(S) Faguy & Co.

FAGUY & CO. BARRISTERS & SOLICITORS INC.

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Original

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BARRISTERS & SOLICITORS INC.

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