

CLASS ACTION NOTICE

AUTHORIZATION OF A DATA BREACH CLASS ACTION CONCERNING THE LOSS OF THE PERSONAL INFORMATION OF CUSTOMERS WHO IN MARCH 2008 LEASED A CHRYSLER, DODGE OR JEEP VEHICLE FROM DAIMLERCHRYSLER FINANCIAL SERVICES CANADA INC. (NOW KNOWN AS TD AUTO FINANCE SERVICES INC.)

Introduction:

In March 2008, a Data Tape containing the personal information of all DaimlerChrysler Financial Services Canada Inc. (“**Chrysler Financial**”) vehicle lease customers across Canada was lost (approximately 239,277 customers). The personal information on the lost or stolen Data Tape contained some or all of the following information: the customer's name, address, phone number, social insurance number, date of birth, as well as other information related to the status and history of the customer's credit file with Chrysler Financial.

If, on or before March 12, 2008, you leased a vehicle from Chrysler Financial (including, without limitation: **Chrysler, Dodge or Jeep vehicles**), your personal information was likely included in the lost Data Tape. You may also have received a notification letter from Chrysler Financial in March or April 2008, informing you of the loss of your personal information.

1. **TAKE NOTICE** that on January 19, 2015, the Honourable Mr. Justice Lacoursière of the Superior Court of Québec authorized the bringing of a class action against Defendant TD Auto Finance Services Inc., formally DaimlerChrysler Financial Services Canada Inc. (“**Chrysler Financial**” or “**Defendant**”), and ascribed the status of representative to Mr. Maxime Belley (“**Petitioner**” or “**Plaintiff**”) to act on behalf of the following Group:

All persons (including their estates, executors, or personal representatives), consumers, corporations, firms, businesses, and other organizations, in all of Canada, whose personal information was stored or saved on a data tape, which was lost by Respondent while in transit on or about March 12, 2008.

2. **This class action will be brought in the Province of Quebec, District of Montreal.**
3. **The principal questions of facts and law that will be dealt with collectively are the following:**
 - a. Was Defendant negligent in the handling of and subsequent loss of the personal information of the Group members?
 - b. Is Defendant liable to pay damages to the Group members as a result of the loss of said information, including actual monetary losses incurred, lost time,

inconvenience, anxiety and other moral and/or punitive damages caused by the loss of said information, and if so in what amount?

4. The conclusions sought by this authorized class action are the following:

GRANT Plaintiffs' action against Defendant;

CONDEMN Defendant to pay to the members of the Group compensatory damages for all monetary losses caused as a result of Defendant's loss of the members' personal information;

CONDEMN Defendant to pay to the members of the Group compensatory and/or moral damages in the amount to be determined by the Court as a result of Defendant's loss of said members' personal information;

CONDEMN Defendant to pay an amount in punitive / exemplary damages to every Group member, in the amount to be determined by the Court, with interest as well as the additional indemnity;

GRANT the class action of Petitioner on behalf of all the members of the Group;

ORDER the treatment of individual claims of each member of the Group in accordance with the Quebec Code of Civil Procedure;

THE WHOLE with interest and additional indemnity provided for in the Civil Code of Quebec and with full costs and expenses, including expert's fees and publication fees to advise members;

5. If you wish to exclude yourself from the class action, you must notify the clerk of the Court no later than May 28, 2016, by registered or certified mail at the following address:

**Clerk
Superior Court of Quebec
1 Notre-Dame Street East
Montreal, Quebec, H2Y 1B6**

You must state that you wish to exclude yourself from the class action of Maxime Belley v. TD Auto Finance Services Inc. (case number 500-06-000615-126).

6. A Class Member who has not requested his exclusion by May 28, 2016 will be bound by any judgment rendered in the class action.

7. If you wish to remain included in the class action, you have nothing to do.

8. **As a Class Member, you have the right to intervene in the present class action, in the manner provided for by law. If you do so, you will not be called upon to pay any costs.**

9. **For further information about this class action, you may contact class counsel and, if possible, provide your email or other address :**

Mtre David Assor
Lex Group Inc.
4101 Sherbrooke St. West
Westmount, Quebec H3Z 1A7
Phone: (514) 451-5500 ext. 321
Fax: (514) 875-8218
Email: davidassor@lexgroup.ca
Website: www.lexgroup.ca

THE PUBLICATION OF THIS NOTICE TO CLASS MEMBERS HAS BEEN APPROVED AND ORDERED BY THE SUPERIOR COURT OF QUEBEC.