

## Schedule "G"

### DISTRIBUTION PROTOCOL

The Claims Administrator will distribute the Net Settlement Fund in the following order to all Eligible Class Members who have completed a valid claim form and submitted it on a timely basis on or before the Claims Deadline.

1. \$417,250.00 CAD shall be paid to the Provincial Health Insurers to be allocated between them:
  - a. With respect to \$216,000.00 CAD – pro-rata based upon the number of Eligible Explant Claimants resident in each Province or Territory; and
  - b. With respect to the balance – pro-rata based upon the number of Patient Class Members whose Defibrillator was implanted any time from and after December 1, 2013, but who is not an Eligible Explant Claimant, resident in each Province or Territory;
2. \$500,000 CAD shall be allocated to pay up to \$100 CAD to every Patient Class Member who: (i) had their Defibrillator implanted prior to December 1, 2013; and (ii) is not an Eligible Explant Claimant. The \$500,000 CAD shall be paid to all such Patient Class Members on a pro-rata basis up to \$100 CAD per Patient Class Member. Should any amount remain of the \$500,000 CAD after all such eligible Patient Class Members have been paid, the balance shall be added to the Explant Pool, referenced below;
3. \$1,100,000 CAD shall be allocated to pay up to \$500 CAD to every Patient Class Member who (i) had their Defibrillator implanted on or after December 1, 2013; and (iii) is not an Eligible Explant Claimant. The \$1,100,000 CAD shall be paid to all such Patient Class Members on a pro-rata basis up to \$500 CAD per Patient Class Member. Should any amount remain of the \$1,100,000 CAD after all such eligible Patient Class Members have been paid, the balance shall be added to the Explant Pool, referenced below;
4. Payments to the Derivative Class Members of deceased Patient Class Members as approved by the Referee in accordance with the Referee Guidelines shall be paid to such Class Members;
5. Payments to Eligible Explant Claimants who have experienced complications from explantation surgery in the amounts approved by the Referee in accordance with the Referee Guidelines shall be paid to such Class Members;
6. All out of pocket expenses incurred by Class Members in the amounts approved by the Referee in accordance with the Referee Guidelines shall be paid to such Class Members; and,
7. After payment of the above amounts, the remaining balance of the Net Settlement Fund (the "Explant Pool") shall be distributed pro rata to those Patient Class Members who either (i) had a Defibrillator replaced due to premature battery depletion where the battery

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depletion occurred earlier than expected based on the Defibrillator usage and there was no indication that the depletion was related to a cause other than a short circuit that may have been due to the formation of lithium clusters, or (ii) had a Defibrillator replaced between October 10, 2016 and August 8, 2017 on an elective basis in response to the St. Jude advisory issued in Canada on October 10, 2016 provided that the electively replaced Defibrillator had been implanted for less than five years at the time of the replacement.

8. If, six months following the conclusion of the distribution of the Net Settlement Fund to all Eligible Claimants, there remain any unallocated amounts, or distributed Settlement Fund cheques have become stale dated without being cashed, then such amounts remaining in the Net Settlement Fund shall be paid cy-près to the Heart and Stroke Foundation of Canada.