

**APPENDIX 3**  
**NOTICE PROTOCOL**

- A. Notice of Certification, Proposed Settlement and Approval Hearing (Certification Notice)**
1. Within 15 (fifteen) days of the date that the Order certifying the Action as a class proceeding for settlement takes effect, the Defendants will provide to the Claims Administrator and to Class Counsel lists of Patient Class Members including their names, last known addresses, the type of Defibrillator implanted and the serial numbers of the implanted Defibrillators, to the extent such information is available to the Defendants (the "Patient Class Member List").
  2. Class Counsel will publish a national press release in English and in French advising of the consent certification of the action as a class proceeding for settlement purposes, briefly outlining the key features of the settlement, advising of opt out rights, and include links to the short and long form Notices on Class Counsels' web pages dedicated to the proceeding. The content of the press release will be in a form agreed between the Parties and, if they are unable to agree, then in a form approved by the Court.
  3. The Claims Administrator will deliver the Certification Notice:
    - a) by mail to the Patient Class Members (as updated from other sources, including information provided by Class Counsel and from the Patient Class List);
    - b) by email to any Class Member who has provided their contact information to Class Counsel; and
    - c) by mail or email to any person requesting a copy from Class Counsel or the Claims Administrator.
  4. Class Counsel will post an update to their firm websites advising of the certification of the action for settlement purposes and explaining its import, setting out the key terms of the proposed settlement, explaining the procedure for opting out of the Action, and explaining the process for objecting to the proposed settlement. Class Counsel will post a link to a copy of the long form and short form Certification Notices, and the executed Settlement Agreement. Once filed with the court, Class Counsel will also post a link to the Plaintiffs' motion for settlement approval and Class Counsel's motion for fee approval.
  5. The Defendants will post the long form Certification Notice on Abbott's website.

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**B. Notice of Settlement Approval (Settlement Notice)**

1. Class Counsel will publish a national press release in English and in French advising of the settlement approval, and include links to the short and long form Notices on Class Counsels' web pages dedicated to the proceeding. The content of the press release will be in a form agreed between the Parties and, if they are unable to agree, then in a form approved by the Court.
2. The Claims Administrator will deliver the Settlement Notice, including a paper copy of the Claim Form, and instructions on how to access and complete a web-based claim form:
  - a) by mail to Patient Class Members (as updated from other sources, including information provided by Class Counsel, and updated contact information received from Class Members and the Patient Class List);
  - b) by email to any Class Member who has provided their contact information to Class Counsel; and
  - c) by mail or email to any person requesting a copy from Class Counsel or the Claims Administrator.
3. Class Counsel will post an update to their firm websites advising of the settlement approval and explaining its import, setting out the key terms of the settlement, explaining the procedure for making a claim for part of the Settlement Fund, including how to contact the Claims Administrator. Class Counsel will post a link to a copy of the long form and short form Settlement Notices, and the executed Settlement Agreement.
4. The Defendants will post the long form Settlement Notice and Claim Form on Abbott's website.
5. The short form Settlement Notice will be published twice in the Metro Newspaper, including the French version of the Settlement Notice in the Montreal edition of the Metro, and twice in the Globe and Mail and in La Presse+ or in le journal de Montréal and le journal du Québec.