

*In the Supreme Court of British Columbia*

Between:

ENTERED



**Coburn and Watson's Metropolitan Home dba  
Metropolitan Home**

Plaintiff

and:

**Bank of America Corporation, BMO Financial Group,  
Bank of Nova Scotia, Canadian Imperial Bank of  
Commerce, Capital One Bank (Canada Branch),  
Citigroup Inc., Fédération des caisses Desjardins du  
Québec, MasterCard International Incorporated, National  
Bank of Canada Inc., Royal Bank of Canada, Toronto-  
Dominion Bank, and Visa Canada Corporation**

Defendants

**Brought pursuant to the *Class Proceedings Act*, RSBC, 1996, c.50**

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**ORDER MADE AFTER APPLICATION  
(B OF A SETTLEMENT APPROVAL)**

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BEFORE THE HONOURABLE MR. JUSTICE G.C.  
WEATHERILL

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November 9, 2015

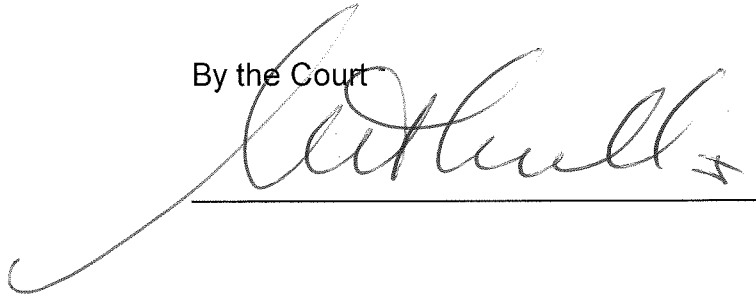
ON THE APPLICATION of the Plaintiff, Coburn and Watson's Metropolitan Home dba Metropolitan Home ("Metropolitan Home"), coming on for hearing at 800 Smithe Street, Vancouver, B.C. on November 9, 2015 for an order approving the agreement made between the Plaintiff and others and Bank of America Corporation (the "Settling Defendant") and BofA Canada Bank, formerly MBNA Canada Bank, an affiliate of Bank of America Corporation (the "Settling Defendant" and BofA Canada Bank are collectively referred to as "BofA"), dated August 16, 2013, as amended on July 7, 2014 and on July 8, 2014 (the "Settlement Agreement");

1. **THIS COURT ORDERS** that the Fee Agreement is hereby approved, pursuant to s. 38(2) of the *Class Proceedings Act*, R.S.B.C. 1996, c. 50.
  
2. **THIS COURT ORDERS** that a legal fee of \$3,000,000.00, plus disbursements of \$384,571.95, plus applicable taxes on legal fees and disbursements is awarded to Class Counsel with respect to the following settlement agreements:
  - (a) between the Plaintiff and Bank of America Corporation and others, dated August 16, 2013 and amended July 7, 2014 and July 8, 2014; and
  - (b) between the Plaintiff and Capital One Bank (Canada Branch), dated April 1, 2015

(collectively, the "Settlement Agreements").
  
3. **THIS COURT ORDERS** that Class Counsel legal fees, disbursements and applicable taxes be paid from the total of the settlement funds paid or payable pursuant to the terms of the Settlement Agreements as they become effective.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER:

By the Court



A handwritten signature in black ink, appearing to read "C. H. ...", is written over a horizontal line. The signature is cursive and extends to the right of the line.



A handwritten signature in black ink, appearing to read "Ward K. Branch", is written over a horizontal line. The signature is cursive and extends to the left of the line.

Signature of Ward K. Branch  
Lawyer for the Plaintiffs