

Credit Cards Class Actions

Visa, Mastercard, and National Bank Opt-Out Form

For the purposes of this Opt-Out Form, the following definitions apply:

“**Credit Card Class Actions**” means the following five actions:

- *Watson v. Bank of America Corporation et al.*, SCBC No. VLC-S-S-112003 (Vancouver);
- *Bancroft-Snell et al. v. Visa Canada Corporation et al.*, OSCJ No. CV-11-426591CP (Toronto);
- *9085-4886 Quebec Inc. v. Visa Canada Corporation et al.*, Superior Court of Quebec No. 500-06-000549-101 (Montreal);
- *Macaronies Hair Club and Laser Center Inc. operating as Fuze Salon v. BofA Canada Bank et al.*, Alberta QB File No. 1203-18531 (Edmonton); and
- *Hello Baby Equipment Inc. v. BofA Canada Bank and others*, SK QB No. 133 of 2013 (Regina).

“**New Settlements**” means:

- “**Mastercard Settlement**” means the settlement agreement made as between the Plaintiffs in the Credit Card Class Actions, the Defendant Mastercard International Incorporated and others;
- “**National Bank Settlement**” means the settlement agreement made as between the Plaintiffs in the Credit Card Class Actions, the Defendant National Bank of Canada, and others; and
- “**Visa Settlement**” means the settlement agreement made as between the Plaintiffs in the Credit Card Class Actions, the Defendant Visa Canada Corporation and others.

Copies of the New Settlements are available at www.CreditCardSettlements.ca/en.

“**New Merchants**” means Settlement Class Members who began accepting Visa and/or Mastercard credit cards after September 4, 2015.

“**Quebec Settlement Class**” means Settlement Class Members who reside in Quebec but does not include any legal persons established for a private interest, partnership, or association which at any time between December 17, 2009, and December 17, 2010, had under their direction or control more than 50 persons bound to it by contract of employment.

“**Settlement Class Members**” means all merchants in Canada who, at any point from March 23, 2001, to the present have accepted payments for the supply of goods or services by way of Visa and/or Mastercard Credit Cards, except the Excluded Persons (generally, persons or entities affiliated with or controlled by the Defendants).

“**Prior Settlements**” means settlements with Bank of America, Citigroup, Capital One, and Desjardins which were previously approved by the Courts.

BECAUSE OF DIFFERENCES IN THE ORDERS MADE BY THE COURTS, THE CONSEQUENCE OF **NOT OPTING OUT** VARIES DEPENDING ON WHETHER YOU ARE A QUEBEC SETTLEMENT CLASS MEMBER OR NOT. READ THIS FORM CAREFULLY FOR FURTHER INFORMATION.

Opting Out

Opting out is only available if you are a Quebec Settlement Class Member or a New Merchant.

CONSEQUENCES OF OPTING OUT

a) Quebec Settlement Class Members:

By completing and returning this Opt-Out Form as set out below, you are choosing:

- 1) **not** to take part in any of the New Settlements;
- 2) **not** to participate in any future settlements reached in the Credit Card Class Action in Quebec; AND
- 3) **not** to participate in the ongoing prosecution of the Credit Card Class Action in Quebec against the other Defendants.

If you complete this Opt-Out Form, you will not be bound by the New Settlements or the releases in those Settlements, but you will also not be entitled to share in any of the proceeds that may become available to merchants as part of same. You will also not be entitled to participate in the continued prosecution of the Credit Card Class Actions or future settlements.

b) New Merchants:

By completing and returning this Opt-Out Form as set out below, you are choosing:

- 1) **not** to take part in any of the Prior Settlements or New Settlements;
- 2) **not** to participate in any future settlements reached in the Credit Card Class Actions; AND
- 3) **not** to participate in the ongoing prosecution of the Credit Card Class Actions against the other Defendants.

New Merchants who opt out will not be bound by the Prior Settlements and the New Settlements or the releases in those Settlements, but will also not be entitled to share in any of the proceeds that may become available to merchants as part of those Settlements or other settlement(s).

CONSEQUENCES OF NOT OPTING OUT

a) Quebec Settlement Class Members:

If you do **not** complete and return this Opt-Out Form, you will be bound by the New Settlements, and the releases in them, and will be entitled to share in any of the proceeds that may become available to merchants as part of those Settlements. You will have an opportunity to opt out of the ongoing litigation against the other Defendants if and when such litigation is authorized as a class action against some or all of those remaining Defendants.

b) New Merchants:

For New Merchants, the election **not** to opt out also operates in relation to future settlements, and the ongoing litigation in Alberta, Saskatchewan and Ontario against the remaining Defendants.

If you do **not** complete and return this Opt-Out Form, you will be bound by the New Settlements and the Prior Settlements, and the releases in them, and will be entitled to share in any of the proceeds that may become available to merchants as part of those Settlements, and the ongoing litigation in Alberta, Saskatchewan and Ontario against the other Defendants. You will not have a further opportunity to opt out of the ongoing litigation in Alberta, Saskatchewan or Ontario against the other Defendants if and when such litigation is certified as a class action against some or all of those remaining Defendants. The right of New Merchants to participate in the ongoing prosecution of the Credit Card Class Action in British Columbia will ultimately be determined by the British Columbia Court in the context of the contested proceedings.

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In order to be effective, this form must be fully completed and sent to the Opt-Out Administrator at the address set out below, and must be postmarked no later than **MAY 31, 2018**. Opt-Out Forms received after **MAY 31, 2018**, will not be accepted.

For more information on the Visa Settlement, the Mastercard Settlement, and the National Bank Settlement, or the ongoing Credit Card Class Actions, please visit www.CreditCardSettlements.ca/en.

Name of business* (required):

*Provide the name of the person or legal entity accepting Visa or MasterCard credit cards. This is probably the name listed on the statements you receive from your payment processor.

Date business began accepting Visa and/or Mastercard credit cards (required):

Date: - -
MM DD YY

Name of payment processor (required):

Your name (required):

First Name

MI

Last Name

Your address (required):

City

State

ZIP Code

Your telephone number (required):

 - -

Your email address (optional):

Declaration:

I declare that I have legal authority to bind the business named above, which has decided to opt out as set out above.

Signature:

Date:

- -
MM DD YY

Return completed Opt-Out Forms to the following address:

Credit Card Class Actions Opt-Out Administrator
P.O. Box 2312
349 W. Georgia St.
Vancouver, BC V6B 1Y0