

## CLASS ACTION NOTICE

**RÉAL MARCOTTE and BERNARD LAPARÉ v. BANK OF MONTREAL (BMO)**

**N° 500-06-000197-034**

**DID YOU MAKE PURCHASES IN A FOREIGN CURRENCY WITH YOUR BMO CREDIT CARD  
BETWEEN APRIL 2000 AND AUGUST 2002 ?**

IF SO, THIS NOTICE MAY CONCERN YOU

<p><b>THE JUDGMENT</b></p> <p>The Bank of Montreal (<b>BMO</b>) was ordered by the Supreme Court of Canada to pay \$6,109,298 plus interest to some of its customers, in order to reimburse currency conversion fees that were not disclosed in the contracts as required by section 12 of the <i>Consumer Protection Act</i>. BMO was also ordered to pay \$25, plus interest, in punitive damages to each class member.</p> <p><b>WHO IS A CLASS MEMBER?</b></p> <p>You are a class member if, between April 17, 2000 and August 31, 2002 inclusively, you used, for purposes other than the operation of a business, a personal credit card issued by BMO and if:</p> <ul style="list-style-type: none"><li>-you were a resident of Quebec at the time;</li><li>-you were charged conversion fees for personal transactions made in foreign currency between April 17, 2000 and August 31, 2002 inclusively; and</li><li>-the conversion fees charged were paid.</li></ul> <p><b>DISTRIBUTION OF COMPENSATION</b></p> <p>BMO and the plaintiffs have reached an agreement whereby BMO will pay \$16,006,364 as reimbursement of conversion fees and payment of punitive damages owed to class members. This amount also includes interest, judicial fees, fees related to the administration of the distribution process for these sums, and class members' counsel's extrajudicial fees and disbursements.</p> <p>The agreement appoints Bruneau Group as administrator of the distribution process.</p>	<p><b>CLASS REPRESENTATIVE'S LAWYERS' LEGAL FEES</b></p> <p>On <b>April 1, 2015</b>, the Superior Court will hear a motion for approval of class members' lawyers' fees. Class members' lawyers, Trudel &amp; Johnston, will ask that 25% (plus taxes) be withheld on the sums to be paid to class members by BMO. They will also request reimbursement of their disbursements of about \$1,992,000, including fees paid to finance this class action.</p> <p><b>APPROVAL BY THE COURT</b></p> <p>The motion for approval of the agreement and of class members' lawyers' fees will be heard on <b>April 1, 2015</b>.</p> <p>The hearing will take place at the <b>Montreal Courthouse located at 1, Notre-Dame Street East, room 2.08, on April 1, 2015, 9:30 a.m.</b></p> <p><b>OPPOSITION TO THE MOTIONS</b></p> <p>If you are a class member, you can oppose the motions by writing a comment to this effect when you register as a class member on class members' lawyers' website, or by sending a letter to class members' lawyers by <b>March 21, 2015</b>. If you contest these lawyers' motions in writing, they will file your comments with the Court, and you will be entitled to explain your position at the hearing.</p> <p><b>NEED MORE INFORMATION ?</b></p> <p>Add your name to the class members' list on</p>
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This agreement must be approved by the Superior Court on **April 1, 2015**.

**WHAT DO YOU NEED TO DO TO RECEIVE COMPENSATION?**

The amount provided for in the agreement will be divided equally among all admissible class members.

**Current holders** of a BMO personal credit card account who have been identified as meeting the admissibility requirements under the agreement will directly receive their portion of the sums on their active BMO account, without having to undertake any steps whatsoever.

**Former holders** of a BMO personal credit card, and current holders who meet the admissibility requirements but have not been notified by BMO that they have been identified as an admissible class member, will have to fill out a form online or over the phone, with the claims administrator appointed by the Court.

Another notice explaining the specifics of the distribution process will be published once the agreement has been approved by the Court.

**www.trudeljohnston.com**, where you will also find a copy of this notice and copies of the motions. For any question on the present notice you may contact class members' lawyers at:

**CLASS MEMBERS' LAWYERS**

Trudel & Johnston

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Notice approved by the Quebec Superior Court