

**—NOTICE OF APPROVAL OF SETTLEMENT OF VIOXX LITIGATION—**

**Read this notice carefully as it may affect your rights.**

**TO ALL PERSONS IN CANADA WHO USED VIOXX AND THEIR FAMILIES**

Vioxx is a prescription pain medication that was sold in drug stores until September 30, 2004.

This notice is directed to all persons in Canada, including their estates, who were prescribed and ingested Vioxx (the "Class"); and all persons who by reason of his or her relationship to a member of the Class are entitled to make claims under any of the dependants/derivative claim statutes in Canada as a result of the death or personal injury of such member of the Class (the "Family Class").

Please be advised that the courts of all provinces have approved the national settlement agreement, which settles all litigation in Canada relating to Vioxx.

The Defendants deny the plaintiffs' allegations and deny any wrongdoing or liability. The allegations made by the plaintiffs have not been proven in court.

**SUMMARY OF SETTLEMENT AGREEMENT**

If you would like a copy of the settlement agreement, it is available at [www.vioxxnationalclassaction.ca](http://www.vioxxnationalclassaction.ca) or [www.vioxxclassactionsettlement.ca](http://www.vioxxclassactionsettlement.ca) or a copy can be obtained from contacting Class Counsel as listed below or by contacting the Claims Administrator.

- The Defendants, while not admitting liability, will pay a sum of approximately \$33,112,500 (inclusive of the payments to provincial and territorial governments, and in respect of class counsel fees and disbursements, described hereinbelow, and of up to \$1,000,000 of administrative expenses), subject to a possible increase to up to \$36,881,250 or decrease to no less than \$21,806,250, depending upon the number of eligible claims filed.
- Claimants or their estates may be eligible to receive settlement payments if they took Vioxx and then experienced a heart attack (myocardial infarction), sudden cardiac death or ischemic stroke.
- Eligible claimants who had an ischemic stroke will receive a payment of no more than **\$5000**.
- The size of payments to eligible claimants who had a myocardial infarction or sudden cardiac death will be based on the number of approved claims and other factors, including:
  - Length of duration of use of Vioxx; and
  - Risk factors including age, smoking, high cholesterol, hypertension, diabetes, obesity, family history, alcohol or drug abuse
- Spouses and children of eligible claimants may also be eligible to receive settlement payments.
- Provincial and territorial governments will share \$3,500,000 of the settlement fund, which shall be in full satisfaction of their purchases of Vioxx and of medical services provided or to be provided to eligible claimants.

**TO MAKE A CLAIM**

To be entitled to a payment pursuant to this Settlement Agreement, all Class Members must file a claim with the Claims Administrator on or before **August 19, 2013**. A detailed instruction package on how to file a claim is available at [www.vioxxnationalclassaction.ca](http://www.vioxxnationalclassaction.ca) or [www.vioxxclassactionsettlement.ca](http://www.vioxxclassactionsettlement.ca) or from the Claims Administrator at:

**NPT RicePoint Class Action Services**  
P.O. Box 3355  
London, ON N6A 4K3  
1-888-507-8759  
[vioxx@nptricepoint.com](mailto:vioxx@nptricepoint.com)

**LEGAL FEES**

The courts have awarded interim legal fees, expenses and applicable taxes to Class Counsel in the total amount of **\$6 million**. Pursuant to the settlement agreement, the Defendants have agreed to pay up to \$6 million towards the class counsel fees and disbursements. Class Counsel will request further legal fees after the claims deadline, once the total value of the settlement is known.

Claimants may retain their own lawyers to assist them in making individual claims under the Settlement Agreement. Claimants are responsible for paying the legal fees of any lawyer they retain.

## IMPORTANT DEADLINES

**August 19, 2013 Deadline to file a claim**

**Because of the deadline, you must act without delay.**

## FURTHER INFORMATION

A complete copy of the Settlement Agreement and instructions to make a claim are available at [www.vioxxnationalclassaction.ca](http://www.vioxxnationalclassaction.ca) or [www.vioxxclassactionsettlement.ca](http://www.vioxxclassactionsettlement.ca) or by contacting the Claims Administrator at **1-888-507-8759**. Questions for Class Counsel should be directed by email or telephone to:

### All provinces except Quebec and Saskatchewan:

Harvey T. Strosberg, Q.C. Tel: 1.800.229.5323 (toll free)  
Fax: 1.866.316.5308 (toll free)  
Email: [vioxxclassaction@strosbergco.com](mailto:vioxxclassaction@strosbergco.com)

Michael J. Peerless Tel: 1.800.461.6166 (toll free)  
Fax: 1.519.672.6065  
Email: [vioxx@siskinds.com](mailto:vioxx@siskinds.com)

Kathy Podrebarac Tel: 1.416.348.7500  
Fax: 1.416.348.7505  
Email: [kp@toughcounsel.com](mailto:kp@toughcounsel.com)

Joel Rochon Tel: 1.866.881.2292 (toll free)  
Fax: 1.416.363.0263  
Email: [jrochon@rochongenova.com](mailto:jrochon@rochongenova.com)

### Quebec:

Eric Lemay Tel: 1.418. 694-2009  
Fax: 1.418. 694-0281  
Email: [eric.lemay@siskindsdesmeules.com](mailto:eric.lemay@siskindsdesmeules.com)

Irwin Liebman Tel: 1.514.846.0666  
Fax: 1.514.935.2314  
Email: [info@liebman.org](mailto:info@liebman.org)

### Saskatchewan:

Grant J. Scharfstein Tel: 1.306.653.2838  
Fax: 1.306.652.4747  
Email: [gscharfstein@scharfsteinlaw.com](mailto:gscharfstein@scharfsteinlaw.com)

This notice contains a summary of some of the terms of the Settlement Agreement. If there is a conflict between this notice and the Settlement Agreement, the terms of the Settlement Agreement shall prevail.

This notice has been authorized by the Courts of all provinces in Canada.