

# Proposed settlement of class proceeding regarding the Investment in the W-6 Limited Partnerships

Please read this notice carefully. It may affect your legal rights.

**You should read this notice if you invested in 1993 or 1994 in the purchase of units of the limited partnerships known as the Wiltshire Limited Partnership, the Wilmont Limited Partnership, the Waterford Limited Partnership, the Winchester Limited Partnership, the Winterford Limited Partnership, and the Whittleden Limited Partnership, (hereinafter collectively referred to as the "W-6 Limited Partnerships"), and/or invested in the W-6 Limited Partnerships through your investment in the ownership of units of Orlando No. 1 Limited Partnership or Orlando No. 2 Limited Partnership ("Orlando Partnerships").**

## Why this notice has been published

A Settlement Agreement ("Agreement") has been reached in respect of proposed settlement of a class proceeding regarding investments in the W-6 Limited Partnerships referenced above.

This Agreement does not become effective until after the Ontario Superior Court of Justice has finally approved the Agreement and certified the action as a class proceeding.

If the Agreement is finally approved by the Court, all parties to the class proceeding will be bound by its terms as will all Class Members unless they specifically opt-out.

The Defendants may exercise an option to withdraw from the obligations imposed by the Agreement in their discretion in the event that one or more Class Members opt-out.

If you invested in the W-6 Limited Partnerships you are entitled to participate in a Court hearing as set out below.

In respect of a proposed settlement, there will be a further Court-approved notice setting out the terms of the Agreement and the rights of Class Members under it, including the procedure to opt-out.

## Summary of Benefits under the Agreement

The Defendants have agreed to create a Settlement Fund in the aggregate amount of \$1,800,000.00 which fund shall be used to compensate Class Members on a pro-rata basis in accordance with their Net Investment Loss. Net Investment Loss is the amount of the original investment, minus any draws or redemptions, all converted from U.S. to Canadian currency.

Class Counsel, Scarfone Hawkins LLP, shall be responsible for distributing the Settlement Fund following preparation of a proposed Distribution Schedule.

Investors can expect to receive compensation equivalent to approximately 30% of their Net Investment Loss.

## How to participate in the Court Hearings

If you invested in the W-6 Limited Partnerships, you do not need to do anything now to be eligible to receive benefits under the Agreement if it is approved by the Court. You do not need to participate in the Court hearing.

If you invested in the W-6 Limited Partnerships, and wish to object to the settlement, you have the right to participate in the Court hearing.

If you wish, you may hire your own lawyer to represent you at the hearing. If you do, you are responsible for paying your own lawyer's fees and expenses. In addition, the Court may decide to hold you responsible for the costs of other parties' involvement in connection with your participation.

To participate in the Court hearing, you or your lawyer must:

Prepare a written Notice of Appearance which sets out the name, address, telephone number of you and your lawyer;

Prepare a written statement of objection to the Agreement approval. The statement of objection should set out the specific reasons for your objection, including any legal authority you wish to bring to the Court's attention and any evidence you wish to introduce in support of your objection; and

At least 10 days before the hearing date:

Deliver these documents by fax, courier, mail or in person to Class Counsel and Defendants' counsel as indicated below;

File a copy of these documents with the Court, along with proof that you delivered them.

If you file a Notice of Appearance and statement of objection, you or your lawyer may also appear at the Court hearing and address the Court.

All Notices of Appearance and statements of objection must be served on Class Counsel and Defendants' counsel no later than 10 days before the Court hearing.

## Location and time of hearing

The Court hearing to decide whether to approve the Agreement and certify the action as a class proceeding will be held as follows:

In the Ontario Superior Court of Justice

(Court File No. 01-3510CP)

DAVID HUMPHREYS, JIM KENNEY, BETTY CHOU,  
WILLIAM G. ARMSTRONG, RUPERT RONALD, BARB  
MONTESANTO, BILL AYRE AND BILL DUNFIELD  
PLAINTIFFS

AND

ROBERT JAMES ADAMS, SELECT FINANCIAL  
SERVICES INC., THE ESTATE OF RON KERFOOTE,  
DECEASED, THE ESTATE OF DERWIN  
TREVOR DAVIS, DECEASED, SHIRLEY DAVIS,  
ART KLASSEN, WILLEM TERMORSHUIZEN,  
ROBERT ADOURIAN AND JOHN BOOTH  
DEFENDANTS

and

MURRAY HUFFMAN  
THIRD PARTY

**November 2, 2006, at 10:00 a.m.** Ontario Superior Court of Justice, 45 Main Street East, Hamilton, Ontario, L8N 2B7.

If you have any questions about the Agreement, you may contact Class Counsel as follows:

<b>DAVID THOMPSON or MATTHEW G. MOLOCI SCARFONE HAWKINS LLP</b>
Barristers & Solicitors
One James Street South
14TH Floor
Hamilton, Ontario
L8N 3P9
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**PUBLICATION OF THIS NOTICE HAS BEEN  
AUTHORIZED BY THE ONTARIO SUPERIOR  
COURT OF JUSTICE**