

**FREQUENTLY ASKED QUESTIONS
REGARDING COURT APPROVAL OF SETTLEMENT
ISSUE DATE: JUNE 22, 2009**

1. I heard that the court approved the settlement between the Northstar companies and the plaintiffs? What does that mean?

The Northstar companies (“Northstar”) and the lawyers working on the Class Action agreed to a settlement on May 22, 2009. In Ontario, any settlement impacting a class must be approved by the court before becoming effective. On June 18, 2009, the court reviewed the settlement agreement and examined the supporting evidence and determined that the settlement was an appropriate resolution in this case.

2. What happens next?

On Thursday, June 25, 2009, official notice will be printed in the *Cambridge Times*. In addition, people on the current Northstar mailing list and people who have requested further information will start getting notifications in the mail about the settlement.

3. I hear rumours that the settlement might be terminated. Is that true?

The settlement agreement will only go ahead if it has the support of the Class Members. If too many people decide to opt-out of the settlement, then the settlement may not proceed as both Northstar and Class Counsel have the right to decide to end the agreement.

4. What do I have to do if I want to participate in the settlement?

You must complete a Property Damage Form and send it to the TCE Claims Administrator c/o BDO Dunwoody at 305 King Street West, Suite 401, Kitchener ON N2G 1B9 **postmarked no later than September 23, 2009.**

5. I don't feel that the Property Damage compensation covers some of the extra losses I've suffered. What can I do? Will I be entitled to claim against the Extraordinary Damage Fund?

You may complete an Extraordinary Damage Form and send it to the TCE Claims Administrator c/o BDO Dunwoody at 305 King Street West, Suite 401, Kitchener ON N2G 1B9 **postmarked no later than December 22, 2009.** Your claim for additional compensation from the Extraordinary Damage Fund must be supported by evidence of your losses, e.g., receipts, financial statements, etc.

The court has appointed a retired Court of Appeal judge, The Hon. Coulter Osborne, Q.C., to adjudicate all claims against the Extraordinary Damage Fund.

6. How can I get the claims forms?

If you received the notification of the proposed settlement by mail, you are on the Class Action mailing list. You should be receiving the claims forms in the mail shortly (by June 29, 2009). You can also download the forms from these websites:

www.classaction.ca

www.classactionlaw.ca

www.gowlings.com/northstar

7. How do I know if I'm eligible to participate in the Proposed Class Action Settlement?

If you owned real estate in the area covered by the settlement on **August 23, 2005**, you are eligible to participate in this settlement. A map of the settlement area can be found on the above-mentioned websites.

8. When can we expect to see some money?

Assuming the settlement goes ahead, we believe that the first payments will be in November, 2009. There will be subsequent payments in the future, depending on when Northstar pays the Promissory Note of \$3,000,000 that it has agreed to provide with respect to this settlement. These subsequent payments will, however, be made no later than the fall of 2012.

9. How can I get more information?

Check out the following websites:

www.classaction.ca

www.classactionlaw.ca

www.gowlings.com/northstar

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Northstar Aerospace Companies
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In particular, there is an earlier FAQ posted on those websites that may cover some of your questions. If it doesn't, please reach out to Class Counsel. Email is the preferred form of communication. We will try to post new FAQs to deal with common questions.

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PLAN OF DISTRIBUTION

Points are awarded to Class Members as follows:

<u>Criteria</u>	<u>Number of Points Earned</u>
The Class Member's property (for greater clarity, property refers to "real property" (i.e. fee simple)) has not had an indoor TCE Reading above 20 µg/m ³	4
The property has had one or more indoor TCE reading(s) above 20 µg/m ³ but not above 200 µg/m ³	8
The property has had one or more indoor TCE reading(s) Above 200 µg/m ³	16
Soil Vapour Extraction ("SVE"), Sub-Slab Extraction, and/or Sub-Slab Depressurization unit installed on property	16
Property is dependent on an SVE unit (but the unit not installed on the property)	8
Heat Recovery Ventilator and/or Photo-Catalytic Oxidation unit installed on property	4
Sealants/passive barriers installed on property	1
One or more testing wells installed on property	32
Class Member was required to evacuate from their property while remediation was performed on their property for:	
• 3 – 14 nights	2
• 15 – 60 nights	4
• 61 – 120 nights	6
• more than 120 nights	12
• multiply the points from this section by 2 if there were more than two members in the household during this time	

A Class Member who owns more than one property in the Class Area, receives points as per above for each property. In order to be considered more than one property, the properties must not be attached in any way.

- 2.4** Points earned according to section 2.3 above are based on the criteria applicable to the Class Member at the time the claim form is completed. If subsequent to submitting the claim form, and prior to all monies in the Property Damage Fund being dispersed in accordance with this Plan of Distribution, the status of a Class Member's property changes resulting in that they would receive more points if the points were recalculated (i.e. a higher TCE reading or a qualifying unit installed on the property), the Class Member can submit an amended claim form to the Claims Administrator asking for the point value of their claim to be recalculated.
- 2.5** **EXTRAORDINARY DAMAGE FUND:** Class Members can make a claim for Extraordinary Damage to recover quantifiable damages not covered by compensation received from the Property Damage Fund. In order to make a claim for Extraordinary Damage, a Class Member must file a properly completed Extraordinary Damage claim form postmarked within 90 days of the Claims Deadline.
- 2.6** Extraordinary Damage claim forms must have all supporting documentation (i.e. receipts; expert report) attached and the amount of compensation awarded will be assessed by the Claims Administrator. Claims for Extraordinary Damage will be limited to quantifiable damage amounts provable at law, not sufficiently accounted for out of the Property Damage Fund, that the Class Member can establish, such as:
- extraordinary diminution claim
 - extra out-of-pocket expenses
 - loss of income (rental or sales).