

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

MICHEL R. MAYOTTE

Plaintiff

- and -

HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO

Defendant

Proceeding under the *Class Proceedings Act, 1992*

Notice published under the *Class Proceedings Act, 1992*

TO ALL ONTARIO MOTOR VEHICLE LICENCE ISSUERS

If you carried on business as an agent of Ontario, whether personally, through a corporate entity, partnership, chamber of commerce or board of trade, for, among other services, the issuance and processing of driver's licences and vehicle registrations at any time from August 28, 2003 to the present day, this Notice will be important for you.

A legal claim against the Province of Ontario has been certified as a class proceeding (the "Class Proceeding") by the Ontario Superior Court of Justice. The Class Proceeding will deal with claims alleged against Ontario which, if proven, could entitle you to various relief including a monetary payment.

This Notice is published by Order of the Ontario Superior Court of Justice dated June 30, 2010 (the "Certification Order") and deals with:

1. Nature of the Class Proceeding and Common Issues;
2. Inclusion in/Opting Out of the Class Proceeding;
3. Possible Financial Consequences of the Class Proceeding; and
4. Ancillary Matters.

1. Nature of the Class Proceeding and Common Issues

On October 23, 2009, Michel R. Mayotte (the "Representative Plaintiff"), a former licence issuer from Penetanguishene, Ontario, commenced an action against Ontario by issuing a Statement of Claim ("Claim") on behalf of the following class:

All corporations, partnerships, chambers of commerce, boards of trade and individuals carrying on business in Ontario, at any time from August 28, 2003 to the date of the Notice to the Class to be sent pursuant to Order of this Court, as an agent of Ontario for, among other services, the issuance and processing of driver's licences and vehicle registrations (the "Class").

The Representative Plaintiff claims damages for breach of contract and, in the alternative, compensation and restitution for unjust enrichment. Ontario denies these allegations and is defending the proceeding.

This action has been certified as a class proceeding by the Court and will proceed to trial on the following common issues:

- a. Does the contractual relationship between Ontario and the private issuers include a duty on Ontario to ensure that Issuer compensation is, and remains fair, rational, objectively determined, and proportional to the effort required to do each transactions?
- b. Does Ontario have one or more of the following contractual obligations to the private issuers in respect of compensations:
 - i. To adequately increase the standard commission rate table,
 - ii. To update the time series analysis on which compensation was and continues to be based,
 - iii. To take into consideration all steps required to perform the required transactions, and
 - iv. To sufficiently increase the annual stipend?
- c. If so, has Ontario breached and is it continuing to breach any such contractual obligations?
- d. Was Ontario under a duty to increase compensation to the private issuers following the conclusion of the report of the Ministry of Transportation dated August 28, 2003?
- e. Has Ontario satisfied its duties by the increases in compensation which it has put into effect since August 28, 2003?
- f. If Ontario has not breached its contractual duties to the private issuers in respect of compensation, has Ontario been unjustly enriched by having under-compensated the private issuers?
- g. Without prejudice to any individual limitation period defences which Ontario may have, if Ontario has breached its contractual duties, or has been unjustly enriched, what is the appropriate formula or the appropriate factors to be included in the formula to measure past damages or compensation, including pre-judgment and post-judgment interest thereon?

2. Inclusion In / Opting Out of the Class

a. Automatic inclusion in the Class

If you are a member of the class as described above, then you are automatically included in the Class. No steps are required to “join” the Class.

b. How to be excluded from the Class

If you do not wish to be included in the Class, you must fill out the attached coupon and send it to Sotos LLP, the lawyers for the Class, using the enclosed self-addressed stamped envelope, or alternatively, send Sotos LLP some other legible, written, signed request to opt-out containing substantially the same information as the Opt-Out Coupon. The deadline for opting out is October 5, 2010, which is 60 days after the date on this notice. If your written request to opt out is not received by that date, you will remain a member of the Class

c. Consequences of opting out

If you opt out of the Class, you will not be affected by any decision the Court makes on the common issues. If you choose to opt-out, you will not be entitled to any award that might be granted by the Court or any possible settlement reached with Ontario.

3. Possible Financial Consequences of the Class Proceeding

In determining the common issues in the Certification Order, the Court may decide whether Ontario should pay any monies to the Class Members, and if so, how much the affected Class Members should receive.

Class Members may be required to participate in some stages of the lawsuit, particularly in the distribution of monies, if any are awarded. The determination of how any recovery should be distributed to each individual Class Member will be made either by the Court or by a process to be supervised and sanctioned by the Court.

If the Class Proceeding is not successful, Class Members will not be responsible for any legal costs or face any other financial obligations arising from the proceedings.

Whether or not the Class Proceeding is successful, all Class Members who do not opt out will be bound by the judgment. This means, for example, that after the Class Proceeding has concluded a Class Member cannot start its own individual claim against Ontario based on the same or similar allegations

4. Ancillary Matters

The Representative Plaintiff has retained the law firm of Sotos LLP (www.sotosllp.com) to represent the Class in the Class Proceeding. The law firm will be paid legal fees only if the Class Proceeding is successful. The Representative Plaintiff has agreed that the law firm's fees will be 25% of the amount recovered plus disbursements, in addition to any costs Ontario is required to pay. The retainer agreement and any fees charged by class counsel must be approved by the Court.

For further information about the class action lawsuit you may contact:

Sotos LLP, Barristers and Solicitors, Suite 1250, 180 Dundas St. West, Toronto, Ontario M5G 1Z8, attn.:

David Sterns (dsterns@sotosllp.com);
Allan D.J. Dick (adjdick@sotosllp.com); and/or
Vukica Djuric (vdjuric@sotosllp.com).

Tel: (416) 977-0007 Fax: (416) 977-0717

The statement of claim and other court papers in this action, including the Order of the Ontario Superior Court of Justice dated June 30, 2010 are available for inspection at the Ontario Superior Court of Justice, 393 University Avenue, 10th Floor, Toronto, Ontario M5G 2J6 and on Sotos LLP's website at www.sotosllp.com/class-actions/licence-issuers/.

PLEASE DO NOT CALL the Ontario Superior Court of Justice or the Registrar of the Court. They will not be able to answer your questions about the lawsuit.

Date: August 5, 2010

OPT OUT COUPON

TO: SOTOS LLP
Barristers and Solicitors
180 Dundas Street West, Suite 1250
Toronto, Ontario M5G 1Z8

Attention: David Sterns
Facsimile: (416) 977-0717

I wish to opt out of the Licence Issuers class action lawsuit.

Signature

Name of individual, company, partnership, Board of Trade or Chamber of Commerce (please print):

Address:

Postal code:

Telephone:

Note: To opt out, this coupon must be completed and received at the above address before
October 5, 2010