

ONTARIO
SUPERIOR COURT OF JUSTICE

THE HONOURABLE
JUSTICE PERELL

) *Thur*, THE *19th* DAY
) OF *January*, 2017

B E T W E E N:

JASON CORLESS

Plaintiff

- and -

BELL MOBILITY INC.

Defendant

Proceeding under the *Class Proceeding Act, 1992*

ORDER

THIS MOTION made by the Plaintiff for an order approving Notices of Certification and the method of dissemination of the said Notices, was read this day, at the Court House, 361 University, Toronto, Ontario.

ON READING the draft Notices of Certification, and on being advised of the consent of the parties;

1. THIS COURT ORDERS that the Notices of Certification (the “Notices”) attached hereto as Schedule “A” (the “Long Form Notice”), Schedule “B” (the “Short Form Notice”), Schedule “C” (the “Abbreviated Form Notice for Bill Message”), Schedule “D” (the “Abbreviated Form Notice for Text Message”), Schedule “E” (the “Opt Out Form”) and Schedule “F” (the “Press Release”) shall be carried out in substantially the same form and with substantially the same information as appended hereto.
2. THIS COURT ORDERS that RicePoint Administration Inc. or another administrator as agreed to by the parties (the “Administrator”) shall provide administration services as required and agreed to by the parties in relation to the Notices and Opt Out Form.
3. THIS COURT ORDERS that the Defendant shall publish the Abbreviated Form Notice for Bill Message on the March 2017 monthly bills for all current postpaid customers whose accounts were active during the Class Period.
4. THIS COURT ORDERS that the Defendant shall deliver the Abbreviated Form Notice for Text Message via text message to all current prepaid customers whose accounts were active during the Class Period.
5. THIS COURT ORDERS that the Defendant shall deliver the Short Form Notice via email to all former customers whose accounts were active during the Class Period and for whom the Defendant has an email address.
6. THIS COURT ORDERS the the Defendant shall deliver the notices set out in paragraphs 4 and 5 before the end of March 2017.
7. THIS COURT ORDERS that the Administrator shall create and maintain the www.perminuteaction.com website and make the following available on the website: the Long Form Notices, a description of the class definition and Class Period, contact information for the Administrator and Class Counsel, updates on the status of this class action, frequently asked questions and answers, important dates, case documents and the Opt Out Form.

8. THIS COURT ORDERS that the Administrator will provide voicemail and email support for putative class members seeking assistance in addition to receiving, recording and reporting on Opt Out Forms which it receives.
9. THIS COURT ORDERS that the Plaintiff shall post the Long Form Notice on Class Counsel's website, www.rochongenova.com.
10. THIS COURT ORDERS that the Plaintiff may release a Press Release attached hereto as Schedule "F" through Canada Newswire once.
11. THIS COURT ORDERS that the Administrator shall cause the Long Form Notice to be published as a 1/3 page advertisement in the front section of the newspaper on one occasion during a Saturday in each of the newspaper publications set out in Schedule "G" within 30 days of this order.
12. THIS COURT ORDERS that the Administrator shall cause a French translation of the Long Form Notice to be published as a 1/3 page advertisement in the front section of the newspaper on one occasion during a Saturday in each of the newspaper publications set out in Schedule "H" within 30 days of this order.
13. THIS COURT ORDERS that the Defendant shall bear the cost of the dissemination of the Notices set out in paragraphs 3, 4, 5, 7, 11 and 12 and any administration costs in relation to the dissemination thereof.
14. THIS COURT ORDERS that the Plaintiff shall bear the cost of the dissemination of the Notices set out in paragraphs 9 and 10 and any administration costs in relation to the dissemination thereof, as well as all costs associated with putative class member support and opt-out administration as set out in paragraph 8.
15. THIS COURT ORDERS that there shall be no costs of this motion.



BELL ROUNDING UP CLASS ACTION

A class action against Bell Mobility has been allowed to proceed by the Ontario Superior Court of Justice

The class action seeks compensation for Bell Mobility customers between August 18, 2006 and October 1, 2009 whose wireless calls were rounded up to the next full minute. The action alleges that this billing practice constituted a breach of contract and consumer protection legislation. The class action has been certified by the Ontario Superior Court. The court has not made a determination on the merits and Bell Mobility denies any liability.

If you were a Bell Mobility customer during this time, you may be eligible to receive compensation in the event of a judgment against Bell Mobility.

If you wish to participate

Class Members are automatically included in the class action and need not do anything at this time if they wish to participate. Class members will be bound by all orders in the action and are not able to bring or maintain any other claim or legal proceeding against Bell Mobility in relation to the rounding up practice.

For complete details visit:

www.perminuteclassaction.com,

www.rochongenova.com or contact RicePoint

Administration Inc. at 1 (866) 432-5534 or by email at

perminuteclassaction@ricepoint.com.

If you do not wish to participate

If you wish to exclude yourself from the class action and not be bound by subsequent orders you can opt out. If you opt out, you will NOT be able to participate in the class action.

You must complete and submit an Opt Out Form by April 30, 2017 by mail or email to RicePoint Administration Inc. at 1180 Richmond Street, Suite 20

SCHEDULE "B"

BELL ROUNDING UP CLASS ACTION

A class action against Bell Mobility has been allowed to proceed by the Ontario Superior Court of Justice

The action alleges that Bell Mobility breached its contracts with customers and consumer protection legislation by its billing practice of rounding up calls to the next full minute. A class action has been certified in relation to this billing practice for Bell Mobility customers between August 18, 2006 and October 1, 2009.

There has been no determination as to whether the action will succeed and Bell Mobility denies any liability.

If you were a Bell Mobility customer during this time, you may be eligible to receive compensation in the event of a judgment against Bell Mobility.

Class Members are automatically included in the class action and need not do anything at this time if they wish to participate. If you wish to exclude yourself from the class action and not be bound by subsequent orders you can opt out by April 30, 2017.

For complete details, visit:
www.perminuteclassaction.com,
www.rochongenova.com or, contact RicePoint Administration Inc. at 1 (866) 432-5534 or perminuteclassaction@ricepoint.com.

SCHEDULE "C"

Abbreviated Notice for Bill Message

Important Notice: The court has allowed a class action to proceed for Bell Mobility customers between August 18, 2006 and October 1, 2009 whose wireless calls were rounded up to the next full minute. Learn more or opt out at www.perminuteclassaction.com by Apr 30, 2017.

SCHEDULE "D"

Abbreviated Notice for Text Message

Free Bell Msg: Legal notice re: Bell Mobility class action for rounding up minutes. Learn more or opt out at www.perminuteclassaction.com

[137 characters]

SCHEDULE "E"

**PER MINUTE CLASS ACTION (BELL MOBILITY)
OPT-OUT FORM**

This is NOT a Claim Form. You should only fill out this form if you want to be EXCLUDED from the Per Minute Class Action against Bell Mobility.

To be effective as an election to opt-out of the Per Minute Class Action against Bell Mobility, this Opt-Out Form must be completed, signed and received by *RicePoint Administration Inc.* **no later than April 30, 2017.**

You may submit this form in one of two ways:

1. by email to perminute@ricepoint.com; or
2. by mail to:

RicePoint Administration Inc.
Attention: Per Minute Class Action (Bell Mobility)
1480 Richmond Street, Suite 204
London ON N6G 0J4

If you do not submit this form in time you will not be able to opt out. If you have any questions, contact *RicePoint Administration Inc.* at 1 (866) 432-5534 or perminute@ricepoint.com.

Class Counsel are:

ROCHON GENOVA LLP
900-121 Richmond St. W.
Toronto ON M5H 2K1

Joel P. Rochon

1-866-881-2292

KARP LITIGATION
1708-5000 Yonge Street
Toronto ON M2N 7E9

Eliezer Karp

416-769-4107

Please read the entire form and follow the instructions carefully.

I. Personal Information: Please provide the following information about yourself, or, if you are filing this Opt-Out Form as the legal representative of a Class Member, please provide the following information about the Class Member.

First Name	Middle Initial	Last Name
Street Address		Apt. No.
City	Province/Territory	Postal Code
Daytime Phone Number () -	Evening Phone Number () -	Gender (circle one) M F
Date of Birth Day / Month / Year	Date of Death (if applicable) Day / Month / Year	

II. Legal Representative Information (if applicable): If you are filing this Opt-Out Form as the legal representative of a Class Member or a Class Member's estate, please provide the following information about *yourself* and attach a copy of your court approval or other authorization to represent the Class Member identified in **I.** above.

First Name	Middle Initial	Last Name
Street Address		Apt. No.
City	Province/Territory	Postal Code
Daytime Phone Number () -	Evening Phone Number () -	Relationship to Class Member

Please attach a copy of a court order or other official document(s) demonstrating that you are the duly authorized legal representative of the Class Member and check the box below describing the Class Member's status:

- _____ minor (court order appointing guardian or property or custody order, if any, or sworn affidavit of the person with custody of the minor);
- _____ a mentally incapable person (copy of a continuing power of attorney for property, or a Certificate of statutory guardianship);
- _____ the estate of a deceased person (Letters Probate, Letters of Administration or Certificate of Appointment as Estate Trustee).

III. Lawyer Information (if applicable): If you, or the Class Member, has hired a lawyer in connection with a claim arising from the Class Member's use of services of Bell Mobility Inc. on either a pre-paid plan or a monthly plan, please provide the following information about the lawyer:

Law Firm Name	
Lawyer's First Name	Lawyer's Last Name
Lawyer's Phone Number	

IV. Acceptance and Acknowledgement

I have read the foregoing and understand that by opting out, I will never be eligible to receive any compensation in relation to the Per Minute Class Action against Bell Mobility. I further understand that by opting out, all personal representatives, all family members who might otherwise make a claim for compensation are deemed to have opted out as well.

Date signed

Signature

(Class Member or Executor, Administrator, or Personal Representative)

THE INFORMATION CONTAINED IN THIS FORM WILL REMAIN CONFIDENTIAL

SCHEDULE "F"

NEWS FOR IMMEDIATE RELEASE

**Class Action Certified Against Bell Mobility
for "Rounding Up" Practice**

TORONTO, ONTARIO, [Date XX, 2016] – A class proceeding has been certified by the Ontario Superior Court against Bell Mobility relating to its billing practices whereby Bell Mobility rounded up calls to the next full minute ("rounding up" practice). It is alleged that by this billing practice Bell Mobility breached its contracts with customers and breached consumer protection legislation.

The class action was certified on behalf of Class Members who are defined as Canadian residents who subscribed to Bell Mobility services and were billed by the minute on either a pre-paid or monthly plan between August 18, 2006 and October 1, 2009 (excluding any customers who were billed by the second during the entire period). The allegations raised in the proceedings have not yet been proven in court. Bell Mobility denies that it acted in breach of contract or consumer protection legislation and is defending the action. The certification order and other information can be found at www.rochongenova.com or www.perminuteclassaction.com.

Class Members are automatically included in the class, will be bound by any judgment (whether successful or not) and will not be able to bring their own individual action unless they opt out. Class Members are not exposed to any adverse costs. Legal fees will be paid on a contingency basis from any amounts which may be recovered and any such fee award to Class Counsel must be approved by the Ontario Superior Court.

Class Members who do not wish to participate in the class action have until April 30, 2017 to "opt-out". Opt-out forms are available at www.perminuteclassaction.com and can be requested by mail or telephone. For further information or to submit a form contact:

RICEPOINT ADMINISTRATION INC.
Attention: *Per Minute Class Action (Bell Mobility)*
1480 Richmond Street, Suite 204
London ON N6G 0J4
1 (866) 432-5534
perminute@ricepoint.com

The class members are represented by Joel Rochon from *Rochon Genova LLP*, and Eli Karp from *Karp Litigation LLP*.

SCHEDULE "G"

	NEWSPAPER	DATE
1.	Globe & Mail	TBD
2.	Toronto Star	TBD
3.	National Post	TBD
4.	Toronto Sun	TBD
5.	Ottawa Citizen	TBD
6.	Montreal Gazette	TBD

SCHEDULE "H"

	NEWSPAPER	DATE
1.	Journal de Montréal	TBD
2.	Le Journal de Québec	TBD

JASON CORLESS
Plaintiff

v. **BELL MOBILITY INC.**
Defendant

**ONTARIO
SUPERIOR COURT OF JUSTICE**

PROCEEDING COMMENCED AT TORONTO

**ORDER
(For Notice Approval)**

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