

## MEDALLION MCKNIGHT INVESTMENT CLASS ACTION

### NOTICE OF CERTIFICATION OF CLASS ACTION

**PLEASE READ THIS NOTICE CAREFULLY AS IT MAY AFFECT YOUR LEGAL RIGHTS**

#### 1. WHAT IS THIS CLASS ACTION ABOUT

On February 9<sup>th</sup>, 2016, the Alberta Court of Queen's Bench certified *Richard Godderis et al v Certified Financial Savings & Mortgage Corp et al* (Action No. 1401-01033) as a class proceeding (the "**Class Action**").

If you are a Canadian resident, and you entered into a loan agreement with Certified Financial Savings & Mortgage Corp. ("**Certified**") and had your interests registered as the fourth mortgage on title to the property purchased through the Medallion McKnight project, you are a proposed class member.

#### 2. PURPOSE OF THIS NOTICE

The purpose of this notice is to inform you of your rights in regard to a class action lawsuit commenced in Alberta alleging that the Defendants, Certified and Phillip Fiess (the "**Defendants**"), breached various duties.

The Class Action seeks for each investment pertaining to each sub-class, among other things:

- Damages representing the pro-rata amount that investors should have received upon the foreclosure of the Medallion McKnight Property had their interest been properly secured by the first mortgage on title (Instrument # 051 095 963).
- Special damages;
- Punitive and aggravated damages;
- Pre-judgment interest.

#### 3. HOW DO I KNOW IF I AM A MEMBER OF THE CLASS?

You are a member of this class if:

1. You invested in the Medallion McKnight project by loaning funds to Certified Financial Savings & Mortgage Corp;
2. You had your interests registered as the fourth mortgage on title to the property purchased through the project;

3. You are not a defendant to this Class Action or related party (including a subsidiary, parent corporation, officer or director of one of the defendant companies, relative of an individual defendant, etc.)

#### **4. WHO IS REPRESENTING MY INTEREST?**

The court has appointed Richard Godderis as the Representative Plaintiff for the Class Action.

#### **5. WHAT DOES THIS MEAN FOR ME?**

**AUTOMATIC INCLUSION:** If you are a class member, and you wish to participate in the Class Action, then you do not need to do anything more at this stage. You are automatically included in the class.

**ANY JUDGMENT OR SETTLEMENT WILL BE BINDING ON YOU:** Each class member who does not opt-out of the Class Action will be bound by the terms of any judgment on the common issues or any settlement approved by the Court.

#### **6. WHAT DO I DO IF I DO NOT WANT TO PARTICIPATE IN THE CLASS ACTION?**

If you do not want to participate in the Class Action, then you must provide Class Counsel, by email, fax, or letter, a completed Opt-Out Form or a signed written request to opt-out of the class proceeding. Class Counsel's contact information is set out below.

The deadline for opting out is February 28, 2016. Investors who do not opt-out on or before this date will be deemed to be members of the class.

#### **7. WHO DO I CONTACT IF I HAVE QUESTIONS?**

The law firm of McGuigan Nelson LLP represents class members in all provinces. Class Members may contact Class Counsel via e-mail, ordinary mail, or fax:

McGuigan Nelson  
205 – 625 11<sup>th</sup> Avenue SW  
Calgary, Alberta T2R 0E1

**E-mail: [Medallion@mnlip.ca](mailto:Medallion@mnlip.ca)**

Phone: 403.265.7744

Fax: 403.265.7528

Re: Medallion McKnight Class Action

Information about the Class Action is available online, at the following web address:

**<http://www.mnlip.ca/current-cases/medallion-mcknight>**