

**ONTARIO
SUPERIOR COURT OF JUSTICE**

[Commercial List]

THE HONOURABLE
MR. JUSTICE PENNY

}

FRIDAY, THE 17TH
DAY OF DECEMBER, 2021

IN THE MATTER OF THE *COMPANIES' CREDITORS*
ARRANGEMENT ACT, R.S.C. 1985, c. C-36, AS AMENDED

AND IN THE MATTER OF A PLAN OF COMPROMISE OR ARRANGEMENT OF
CANNTRUST HOLDINGS INC., CANNTRUST INC.,
CTI HOLDINGS (OSOYOOS) INC. AND ELMCLIFFE INVESTMENTS INC.

ORDER
(Additional RSAs, Notice, and Claims Administration)

THIS MOTION made by the CCAA Representatives for an order authorizing the Additional RSAs and ancillary agreements, approving the notice plan, and appointing the notice and claims administrator was heard this day by Zoom judicial video conference due to the COVID-19 pandemic.

UPON READING the materials filed by the CCAA Representatives and on hearing the submissions of counsel to the CCAA Representatives, the Applicants, the Monitor, and any such other counsel that were present as listed on the counsel slip, no appearing for any other person on the service list, although duly properly served as appears from the affidavit of service, filed:

A. SERVICE AND INTERPRETATION

1. **THIS COURT ORDERS** that the time for service and filing of this motion and materials be and are hereby validated, such that this motion is properly returnable today and hereby dispenses with further service thereof.

2. **THIS COURT ORDERS** that all capitalized terms used in this Order and not expressly defined herein shall have the meanings given to them in the fourth amended and restated plan of compromise, arrangement and reorganization of CannTrust Holdings Inc., CannTrust Inc. and Elmcliff Investments Inc. dated July 7, 2021 (“**CCAA Plan**”).

B. SETTLEMENT AND SECURITIES CLAIMANT TRUST MATTERS

3. **THIS COURT ORDERS** that the Applicants and the CCAA Representatives are hereby authorized, *nunc pro tunc*, to enter into the Aceto Settlement, the ABC Settlement, the ABC Settlement Supplement, the DIC Settlement, and the Abramowitz Settlement Supplement, all as defined in the Affidavit of Serge Kalloghlian, affirmed December 6, 2021 and the Confidential Affidavit of Serge Kalloghlian, affirmed December 6, 2021.

4. **THIS COURT ORDERS** that the Confidential Affidavit of Serge Kalloghlian sworn December 6, 2021 and the exhibits thereto shall be and is hereby sealed, kept confidential, and shall not form part of the public record unless otherwise ordered by the Court.

5. **THIS COURT ORDERS** that the Trustees, and without limitation to the terms of the CCAA Representation Order, the CCAA Representatives and CCAA Representative Counsel are hereby authorized and directed to take all steps and actions, and to do all things, necessary or appropriate to implement the Aceto Settlement, the ABC Settlement, the ABC Settlement

Supplement, the DIC Settlement, and the Abramowitz Settlement Supplement in accordance and subject to their respective terms and conditions, and to enter into, execute, deliver, complete, implement and consummate all of the steps, transactions, distributions, payments, deliveries, allocations, instruments and agreements contemplated by, and subject to the respective terms and conditions of the Aceto Settlement, the ABC Settlement, the ABC Settlement Supplement, the DIC Settlement, and the Abramowitz Settlement Supplement.

6. **THIS COURT ORDERS** that the Trustees, CCAA Representatives and CCAA Representative Counsel shall incur no liability or obligation as a result of carrying out the work described at paragraph 5 of this Order, save and except for any gross negligence or wilful misconduct on their part.

B. TRUST ADMINISTRATION

7. **THIS COURT ORDERS** that the Cash Contributions paid pursuant to the CCAA Plan to the Securities Claimant Trust (“**Class Settlement Amount**”) be held in a trust account (“**Trust Account**”) for the benefit of the Securities Claimants.

8. **THIS COURT ORDERS** that Epiq Class Action Services is appointed as the “**Claims Administrator**” to administer the Allocation and Distribution Scheme and to manage the Trust Account under the direction of the Trustees or their successors.

9. **THIS COURT ORDERS** that the Claims Administrator, at the direction of the Trustees or their successors, is authorized to disburse out of the Trust Account: (i) the Zola Payment (as defined in the Allocation and Distribution Scheme); (ii) fees, disbursements, expenses, costs and taxes of CCAA Representative Counsel as approved by the Court; (iii) all fees, disbursements,

expenses, costs, taxes, any other amounts incurred or payable relating to approval, implementation and administration of all settlements and recoveries obtained by CCAA Representatives and CCAA Representatives for the benefit of Securities Claimants including, without limitation, the costs, fees, disbursements, taxes and expenses of notice to Securities Claimants and the fees, expenses, costs disbursements and taxes paid to the Claims Administrator for fulfilling its mandate, and any other fees and expenses ordered by the Courts; (iv) any other payments, fees, disbursements, expenses, costs, taxes payable pursuant to the terms of the RSA, an Additional RSA, related agreement and/or the CCAA Plan, including without limitation the agreements listed at paragraph 3 of this order; (v) payments as are reasonably necessary to pay reasonable and necessary administrative expenses of the Securities Claimant Trust (including costs of professionals retained thereby and banking costs), and any taxes imposed on the Securities Claimant Trust or Securities Claimant Trust Assets (together, the “**Authorized Disbursements**”).

10. **THIS COURT ORDERS** that the amount of the “**Holdback**” as defined in the Allocation and Distribution Scheme may not exceed \$10,000,000.00.

11. **THIS COURT ORDERS** that the Claims Administrator is authorized to distribute the Class Settlement Amount, plus any accrued interest and net of the Authorized Disbursements and Holdback (“**Class Compensation Fund**”) in accordance with the Allocation and Distribution Scheme.

12. **THIS COURT ORDERS** that the Claims Administrator, at the direction of the Trustees or their successors, is authorized to distribute funds from the Holdback for the purposes described in the Affidavit of Serge Kalloghlian, affirmed December 6, 2021, and for any other purpose permitted by the Declaration of Trust and Agreement.

13. **THIS COURT ORDERS** that (i) the “**Claim Form**” for the purpose of the Allocation and Distribution Scheme substantially in the form attached as Schedule “A” is hereby approved; and (ii) the Claims Administrator may modify the Claim Form as necessary or desirable for the purpose of allowing claims to be filed electronically.

14. **THIS COURT ORDERS** that the deadline for claims to be filed pursuant to paragraph 4 of the Allocation and Distribution Scheme is March 16, 2022.

C. NOTICE

15. **THIS COURT ORDERS** that the notice to the Securities Claimants of the settlements and of the claims filing procedures and deadline (“**Notice**”), substantially in the form attached hereto as Schedule “B” is hereby approved.

16. **THIS COURT ORDERS** that the plan of disseminating the Notice (“**Notice Plan**”) attached hereto as Schedule “C” is hereby approved.

17. **THIS COURT ORDERS** that the Claims Administrator is appointed to distribute the Notice in accordance with the Notice Plan.

18. **THIS COURT ORDERS** that there will be no costs on this motion.

Schedule A

[Claim Form]

Must be Submitted
No Later Than
11:59 PM (Eastern time)
on March 16, 2022

CannTrust Securities Settlements
c/o Epiq Class Action Services Canada Inc.
info@CannTrustSecuritiesSettlement.ca
P.O. Box 507 STN B
Ottawa ON K1P 5P6

Claim Number (for Internal Purposes Only):

SECURITIES CLAIMANT PROOF OF CLAIM AND RELEASE FORM

If you purchased or otherwise acquired the common stock of CannTrust Holdings Inc. (“CannTrust”) during the period from June 1, 2018 through September 17, 2019, inclusive (“Class Period”), you may be entitled to share in certain settlement proceeds.

Please note, your rights under the *Personal Information Protection and Electronic Documents Act* (PIPEDA) require private-sector organizations, such as Epiq Class Action Services Canada Inc. (“Epiq”), the Claims Administrator, to seek your consent to collect, use and disclose your personal information only for the purposes that are stated and reasonable.

To that end, we will collect, use or disclose your personal information in accordance with our privacy notice to determine whether you are an eligible claimant in the Settlements. We may share your personal information with our affiliated and third-party Canadian based companies, and the Courts and counsel in the Actions, in accordance with our privacy notice for purposes of determining your eligibility to receive a payment from the Settlements. For more information concerning our collection, use or disclosure of your personal information, please review our privacy notice available at <https://www.canntrustsecuritiessettlement.ca/en/privacy>.

Unless otherwise provided by Canadian federal or provincial law, you may withdraw your consent at any time and such withdrawal shall be effective upon receipt by the Claims Administrator, but will not have any effect on actions taken by the Claims Administrator before it receives such revocation. If you choose to withdraw your consent, the Claims Administrator may be unable to determine your eligibility to receive a payment from the Settlements.

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Visit www.CannTrustSecuritiesSettlement.ca

Important - This form should be completed IN CAPITAL LETTERS using BLACK or DARK BLUE ballpoint/fountain pen. Characters and marks used should be similar in the style to the following:

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z 1 2 3 4 5 6 7 0

SECTION I – GENERAL INSTRUCTIONS

- A.** Eligible Securities Claimants who wish to obtain payment pursuant to the Settlements of the Actions and all other Securities Claims against CannTrust, and related claims against others, including in the class actions styled *Hrusa et al. v. CannTrust Holdings Inc. et al.*, Court File No. CV-19-00623567-00CP (ONSC) and *In Re: CannTrust Holdings Inc. Sec. Litig.*, No. 1:19-cv-06396-JPO (S.D.N.Y.), must complete and, on page 7 below, sign this Securities Claimant Proof of Claim and Release Form (“**Claim Form**”). If you fail to submit a timely and properly addressed (as explained in paragraph E below) Claim Form, your claim may be rejected and you may not receive any recovery from the Class Compensation Fund created in connection with the above-referenced proceedings.
- B.** All capitalized terms used in this Claim Form that are not otherwise defined below have the meanings given in the plan of compromise, arrangement and reorganization of the CannTrust Group pursuant to the Companies’ Creditors Arrangement Act (Canada) (the “**CCAA Plan**”), the settlement agreements entered into in the above-referenced proceedings (collectively, with the CCAA Plan and the related CCAA Sanction Order, the “**Settlements**”), or the Allocation and Distribution Scheme (“**A&DS**”), each of which are available at www.CannTrustSecuritiesSettlement.ca.
- C. Submission of this Claim Form, however, does not assure that you will share in the Class Compensation Fund.** A Securities Claimant must have a “Recognized Claim” in order to be eligible to receive a payment from the Class Compensation Fund. A Securities Claimant that has not suffered a Recognized Claim, as calculated under the Allocation and Distribution Scheme, will not be entitled to receive any portion of the Class Compensation Fund.
- D.** This Claim Form is directed to Securities Claimants who purchased or otherwise acquired the common stock of CannTrust during the period from June 1, 2018 through September 17, 2019, inclusive. Purchases after September 17, 2019 are not eligible for a recovery from the Class Compensation Fund because they were made after the full truth about CannTrust was allegedly disclosed to the market.
- E. THIS CLAIM FORM MUST BE SUBMITTED ONLINE AT WWW.CANNTRUSTSECURITIESSETTLEMENT.CA OR BE EMAILED TO INFO@CANNTRUSTSECURITIESSETTLEMENT.CA NO LATER THAN MARCH 16, 2022 OR, IF MAILED, BE POSTMARKED NO LATER THAN MARCH 16, 2022, ADDRESSED AS FOLLOWS:**
- CannTrust Securities Settlements
c/o Epiq Class Action Services Canada Inc.
P.O. Box 507 STN B
Ottawa ON K1P 5P6
- F.** If you are a Securities Claimant, you are bound by and subject to the terms of the CCAA Plan, the related CCAA Sanction Order and any judgment or order entered in the Actions, including the releases provided for therein, **WHETHER OR NOT YOU SUBMIT A CLAIM FORM OR RECEIVE A PAYMENT.**
- G.** If you purchased or otherwise acquired CannTrust common stock and held the stock in your name, you are the beneficial owner as well as the record owner. If, however, you purchased or otherwise acquired CannTrust common stock through a third party, such as a brokerage firm, you are the beneficial owner and the third party is the record owner.
- H.** Use **Section II** of this form entitled “Claimant Identification” to identify each beneficial owner of the CannTrust common stock that is the subject of this Claim Form. **THIS CLAIM FORM MUST BE SUBMITTED BY THE ACTUAL BENEFICIAL OWNERS OR THE LEGAL REPRESENTATIVE OF SUCH OWNERS.** All joint beneficial owners must sign this claim.
- I.** Separate Claim Forms should be submitted for each legal entity that is a claimant (e.g., a claim for joint owners should not include the transactions of just one of the joint owners, and an individual should not combine his or her RRSP or IRA transactions with transactions made solely in the individual’s name). Conversely, a single Claim Form should be submitted on behalf of one legal entity including all transactions made by that legal entity on one Claim Form, no matter how many separate accounts that legal entity has (e.g., an individual with multiple accounts should include all transactions made in all accounts on one Claim Form).

SECTION I – GENERAL INSTRUCTIONS (CONTINUED)

- J.** Executors, administrators, guardians, conservators, and trustees must complete and sign this Claim Form on behalf of persons represented by them and their authority must accompany this Claim Form and their titles or capacities must be stated. The telephone number of the beneficial owner may be used in verifying the claim. Failure to provide the foregoing information could delay verification of your claim or result in rejection of the claim.
- K.** Use **Section III** of this form entitled “Schedule of Transactions in CannTrust Common Stock” to supply all required details of your transaction(s) in CannTrust common stock. If you need more space or additional schedules, attach separate sheets giving all of the required information in substantially the same form. Sign and print or type your name on each additional sheet. On the schedules, provide all of the requested information with respect to your holdings, purchases/acquisitions, and sales of CannTrust common stock, whether the transactions resulted in a profit or a loss. Failure to report all such transactions may result in the rejection of your claim.
- L.** The date of covering a “short sale” is deemed to be the date of purchase of CannTrust common stock. The date of a “short sale” is deemed to be the date of sale.
- M.** **You are required to submit genuine and sufficient documentation** for all of your transaction(s) in and holdings of CannTrust common stock, as requested in Section III of this Claim Form. Documentation may consist of copies of broker confirmation slips, broker account statements or an authorized statement from your broker containing the transactional information found in a broker confirmation slip. The Parties do not have information about your transactions in CannTrust common stock. **IF SUCH DOCUMENTS ARE NOT IN YOUR POSSESSION, PLEASE OBTAIN COPIES OR EQUIVALENT CONTEMPORANEOUS DOCUMENTS FROM YOUR BROKER. FAILURE TO SUPPLY THIS DOCUMENTATION COULD DELAY VERIFICATION OF YOUR CLAIM OR COULD RESULT IN REJECTION OF YOUR CLAIM. Please keep a copy of all documents that you send to the Claims Administrator, do not send original documents.**
- N. NOTICE REGARDING ELECTRONIC FILES:** Certain claimants with large numbers of transactions may request to, or may be requested to, submit information regarding their transactions in electronic files. (This is different than the online claim portal on the settlement website.) To obtain the mandatory electronic filing requirements and file layout, please visit the website **www.CannTrustSecuritiesSettlement.ca** or you may email the Claims Administrator’s electronic filing department at **info@CannTrustSecuritiesSettlement.ca**. Any file not in accordance with the required electronic filing format will be subject to rejection. No electronic files will be considered to have been properly submitted unless the Claims Administrator issues an email after processing your file containing your claim numbers and respective account information. Do not assume that your file has been received or processed until you receive this email.
- O. If you are a nominee (institution) submitting a claim on your own behalf or on behalf of other beneficial owners, or a claim preparer** submitting on behalf of beneficial owners, you **must** also provide the following five (5) documents:
- One (1) “Master” Claim Form
 - One (1) Signature Verification Document
 - One (1) Data Verification Document
 - One (1) Authorization Document (if filing on behalf of clients or customers)
 - One (1) Excel Spreadsheet Containing Transactions and Holdings
- P.** When filling out this Claim Form, type or print in the boxes below in CAPITAL LETTERS; do not use red ink, pencil or staples. If you have questions concerning the Claim Form, or need additional copies of the Claim Form, you may contact the Claims Administrator, using the above contact information or by toll-free phone at **1-833-871-5359**, or you may download the documents from **www.CannTrustSecuritiesSettlement.ca**.

SECTION II – CLAIMANT IDENTIFICATION

The Claims Administrator will use this information for all communications.

If this information changes, you **MUST** notify the Claims Administrator in writing at the address above. Complete names of all persons and entities must be provided.

Beneficial Owner's Name(s) (as you would like the name(s) to appear on the payment, if eligible for one)

[illegible]

Joint Beneficial Owner's Name(s) (as you would like the name(s) to appear on the payment, if eligible for one)

[illegible]**Entity Name** (if claimant is not an individual)[illegible]

Representative or Custodian Name (if different from Beneficial Owner(s) listed above)

[illegible]

Address1 (street name and number)

[illegible]

Address2 (apartment, unit, or box number)

[illegible]

City

[illegible]

ZIP/Postal Code

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Province/Territory/State

Country

[illegible]**Telephone Number (home)**

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Telephone Number (work)

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Email address (By providing an email address you authorize the Claims Administrator to use it in providing you with information relevant to this claim and the Settlements.)

[illegible]

Account Number(s) (list all relating to this claim)

[illegible][illegible]**Claimant Account Type** (check appropriate box):

- | | | |
|--|--|--------------------------------------|
| <input type="radio"/> Individual (includes joint owner accounts) | <input type="radio"/> Pension Plan | <input type="radio"/> IRA/401K |
| <input type="radio"/> Corporation | <input type="radio"/> Estate | <input type="radio"/> RRSP/RRIF/RESP |
| <input type="radio"/> Trust | <input type="radio"/> Other (please specify) | |

SECTION III – SCHEDULE OF TRANSACTIONS IN CANNTRUST COMMON STOCK

1. BEGINNING HOLDINGS – State the total number of shares of CannTrust common stock held as of the opening of trading on June 1, 2018. If none, write “0” or “Zero.”

(Must submit documentation.)

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PRIMARY MARKET TRANSACTIONS (excluding shares purchased on a secondary market exchange from Section III.3)

2. PURCHASES/ACQUISITIONS OF SHARES IN MAY 2019 OFFERING – Separately list each and every purchase/acquisition of CannTrust common stock pursuant or traceable to CannTrust’s May 6, 2019 Secondary Offering. (Must submit documentation.)

Trade Date(s) List Chronologically (MM/DD/YY)	Number of Shares Purchased or Acquired	Price Per Share (\$)	Total Purchase Price (\$) (excluding taxes, commissions, and fees)	Currency Type CAD/USD/EUR/ GBP
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SECONDARY MARKET TRANSACTIONS (excluding primary market purchases from Section III.2)

3. PURCHASES/ACQUISITIONS DURING THE CLASS PERIOD – Separately list each and every purchase/acquisition of CannTrust common stock on the secondary market from after the opening of trading on June 1, 2018 through and including the close of trading on September 17, 2019. (Must submit documentation.)

Trade Date(s) List Chronologically (MM/DD/YY)	Number of Shares Purchased or Acquired	Price Per Share (\$)	Total Purchase Price (\$) (excluding taxes, commissions, and fees)	Currency Type CAD/USD/EUR/ GBP	Transaction Type (P/R) *
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* P=Purchase, R=Free Receipt (transfer in)

IF YOU NEED ADDITIONAL SPACE TO LIST YOUR TRANSACTIONS YOU MUST
PHOTOCOPY THIS PAGE AND CHECK THIS BOX ☐

SECTION III – SCHEDULE OF TRANSACTIONS IN CANNTRUST COMMON STOCK (CONTINUED)

4. PURCHASES/ACQUISITIONS AFTER CLASS PERIOD – State the total number of shares of CannTrust common stock purchased/acquired from after the opening of trading on September 18, 2019 through and including the close of trading on March 5, 2021.¹ **(Must submit documentation.)**

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5. SALES – Separately list each and every sale/disposition of CannTrust common stock from after the opening of trading on June 1, 2018 through and including the close of trading on March 5, 2021. **(Must submit documentation.)**

Trade Date(s) List Chronologically (MM/DD/YY)	Number of Shares Sold or Disposed of	Price Per Share (\$)	Total Sale Price (\$) (excluding taxes, commissions, and fees)	Currency Type CAD/USD/EUR/ GBP	Transaction Type (S/D) *
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* S=Sale, D=Delivery (transfer out)

6. ENDING HOLDINGS – State the total number of shares of CannTrust common stock held as of the close of trading on March 5, 2021. If none, write “0” or “Zero.” **(Must submit documentation.)**

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**IF YOU NEED ADDITIONAL SPACE TO LIST YOUR TRANSACTIONS YOU MUST
PHOTOCOPY THIS PAGE AND CHECK THIS BOX**

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¹ Information requested on this Claim Form with respect to your purchases after the opening of trading on September 18, 2019 through and including the close of trading on March 5, 2021 is needed in order for the Claims Administrator to confirm that you have reported all transactions. Purchases/acquisitions during this period, however, are not eligible for a recovery because such purchases/acquisitions were made after the alleged wrongdoing was allegedly fully disclosed. They will not be used for purposes of calculating your Recognized Claim pursuant to the A&DS.

SECTION IV – ACKNOWLEDGEMENTS

YOU MUST READ THE ACKNOWLEDGEMENTS BELOW AND SIGN

By signing and submitting this Claim Form, the claimant(s) or the person(s) acting on behalf of the claimant(s) certify(ies) that:

I (We) submit this Claim Form under the terms of the Allocation and Distribution Scheme (A&DS) governing the distribution of the Class Compensation Fund to Securities Claimants.

I (We) agree to furnish additional information to the Claims Administrator to support this claim, such as additional documentation for transactions in CannTrust common stock, if required to do so.

I (We) have not submitted any other claim covering the same transactions in CannTrust common stock and know of no other person having done so on my (our) behalf.

I (We) hereby warrant and represent that I am (we are) a Class Member, as defined in the A&DS, and are not an Excluded Person, as defined in the A&DS.

I (We) hereby warrant and represent that I (we) have not assigned or transferred or purported to assign or transfer, voluntarily or involuntarily, any matter relating to my investments in CannTrust or any other part or portion thereof.

I (We) hereby warrant and represent that I (we) have included information about all of my (our) purchases, acquisitions, and sales of CannTrust common stock that occurred during the relevant periods and the number of shares held by me (us), to the extent requested.

The A&DS is available at **www.CannTrustSecuritiesSettlement.ca**.

I (WE) DECLARE UNDER PENALTY OF PERJURY THAT ALL OF THE FOREGOING INFORMATION SUPPLIED BY THE UNDERSIGNED IS TRUE AND CORRECT.

Executed this _____ day of _____, _____.

Signature of Claimant

Type or print name of Claimant

Signature of Joint Claimant, if any

Type or print name of Joint Claimant

Important: If claimant is other than an individual, or is not the person completing this form, the following MUST also be provided:

Signature of person signing on behalf of Claimant

Type or print name of person signing on behalf of Claimant

Capacity of person signing on behalf of Claimant, if other than an individual (e.g., Administrator, Executor, Trustee, President, Custodian, Power of Attorney, etc.)

Proof of Authority to file is
attached to this Claim Form

☐

YES

☐

NO

REMINDER CHECKLIST:

1. Please sign this Claim Form.
2. DO NOT HIGHLIGHT THE CLAIM FORM OR YOUR SUPPORTING DOCUMENTATION.
3. Attach only copies of supporting documentation as these documents will not be returned to you.
4. Keep a copy of your Claim Form for your records.
5. The Claims Administrator will acknowledge receipt of your Claim Form by mail or email, within 60 days. **Your claim is not deemed submitted until you receive an acknowledgment postcard or email.** If you do not receive an acknowledgment within 60 days, please call the Claims Administrator toll free at **1-833-871-5359**.
6. If you move after submitting this Claim Form please notify the Claims Administrator of the change in your address, otherwise you may not receive additional notices or payment.

SCHEDULE B

Settlement of Canntrust Holdings Inc. Securities Litigation

CANNTRUST SHAREHOLDERS MAY BE ENTITLED TO COMPENSATION

DEADLINE TO FILE CLAIMS: MARCH 16, 2022

Visit www.canntrustsecuritiessettlement.ca/en/claim to submit a claim.

Overview

After extensive negotiations, settlements have been reached to resolve all securities litigation against CannTrust Holdings Inc. (“**CannTrust**”), certain of its directors and officers, the underwriters of its May 2019 share offering, and its insurers (“**Settlements**”), including the securities class actions commenced in Canada and the United States (the “**Actions**”). The Actions sought to recover losses incurred by investors following CannTrust’s announcement in July 2019 that it was not compliant with Health Canada regulations.

The Settlements provide for approximately CAD \$126 million (before legal fees and expenses) to be distributed to certain CannTrust shareholders, described below. The Settlements have been authorized by the Superior Court of Justice (Commercial List) in Canada and the U.S. Federal Court. The Settlements are subject to certain conditions.

A separate settlement notice packet was mailed in connection with the U.S. class action and was directed to members of the U.S. Settlement Class (“**U.S. Settlement Notice**”). If you already submitted the Claim Form that accompanied the U.S. Settlement Notice, you do not need to submit an additional one.

More information about the Settlements is available at www.canntrustsecuritiessettlement.ca.

Who is eligible for compensation from the Settlements?

The following may be entitled to a recovery from the settlement proceeds (the “**Class Members**”):

All persons, wherever they reside or be domiciled, that purchased or otherwise acquired common shares of CannTrust during the period from June 1, 2018 through September 17, 2019, inclusive, (subject to certain exceptions).

How do I file a claim for compensation from the Settlement?

You must submit a valid Claim Form by March 16, 2022 in order to be eligible for payment.

You may file your claim securely online at www.canntrustsecuritiessettlement.ca/en/claim.

Alternatively, you can submit a Claim Form by mail or email. You can also obtain a Claim Form by calling the Claims Administrator at 1-833-871-5359 or emailing them at info@CannTrustSecuritiesSettlement.ca.

Who are the lawyers and do I have to pay them?

The courts have appointed the law firms A. Dimitri Lascaris Law Professional Corporation, Henein Hutchison LLP, Kalloghlian Myers LLP, Strosberg Sasso Sutts LLP, Labaton Sucharow LLP, and Weisz Fell Kour LLP to represent the interests of certain CannTrust shareholders, including the Class Members. The law firms will seek court approval of a legal fee to be paid to them out of the gross settlement amount. You do not personally have to pay the lawyers to submit a Claim Form for compensation from the Settlements

**DISTRIBUTION OF THIS NOTICE HAS BEEN AUTHORIZED BY THE ONTARIO
SUPERIOR COURT OF JUSTICE**

SCHEDULE C

Notice Plan

- (a) by sending copies of the Notice to all persons known to CCAA Representative Counsel that have identified themselves as Securities Claimants and have provided their contact information and to all individuals and entities that request it;
- (b) by placing an abbreviated form of the Notice with a URL leading to more information on the following websites for a period of 30 days;
 - (i) Banner ads on the Google Display Network targeting the following Affinity Audiences: “financial markets”, “business news”, “economic news”, and “news”. Impressions/views will be targeted proportionately to Canadian, European and Asian audiences, excluding US channels where possible.
 - (ii) Sponsored link ads on the Google Search Network in response to broadmatch searches for search terms such as but not limited to “Canntrust class action” “Canntrust recours collectif,” with impressions/views targeted proportionately to Canadian, European and Asian audiences, excluding US channels where possible.
 - (iii) Banner ads on MarketWatch with impressions/views targeted proportionately to Canadian, European and Asian audiences, excluding US channels where possible.
 - (iv) Sponsored link on Stockhouse.ca.
 - (v) Banner ads on TheStreet.com with impressions/views targeted proportionately to Canadian, European and Asian audiences, excluding US channels where possible.
 - (vi) Banner and/or sponsored link ads on the Yahoo! Network in response to broadmatch searches for search terms such as but not limited to “Canntrust class action” “Canntrust recours collectif,” with impressions/views targeted proportionately to Canadian, European and Asian audiences, excluding US channels where possible.
 - (vii) Banner and/or sponsored link ads on Bing.com Live Search in response to broadmatch searches for search terms such as but not limited to “Canntrust class action” “Canntrust recours collectif,” with impressions/views targeted proportionately to Canadian, European and Asian audiences, excluding US channels where possible.
- (c) by publishing the Notice, modified as necessary, once through Canada NewsWire in English and French;
- (d) by publishing the Notice once in French in a weekday tablet (online) edition of La Presse+;
- (e) by publishing the Notice once in English in the national print edition of The Globe and Mail, Report on Business section and in English in the national print edition of The National Post, Financial Post section.
- (a) by the Claims Administrator mailing the Notice in English and French via registered mail or e-mail to the brokers identified below (the "Brokers") requesting that, within five (5) business days of receipt of the Notice the Broker forward copies of the Notice to all persons or entities for whose benefit the Broker purchased or otherwise acquired shares of CannTrust Holdings during the periods of June 1, 2018 to September 17, 2019 (the "Beneficial Owners"). For those Beneficial Owners whose

email addresses are known to the Broker, the Broker may forward the Notice by email. Where the Broker does not have a valid email address for one or more Beneficial Owners, the Broker may request from info@CannTrustSecuritiesSettlement.ca sufficient copies of the Notice to mail to all such Beneficial Owners whose email addresses are not known to them. The Brokers who elect to send the Notice to their Beneficial Owners shall send a statement to info@CannTrustSecuritiesSettlement.ca confirming that the mailing, by email or regular mail, was made and shall retain their mailing records for use in connection with any further notices that may be provided in the action. Upon full compliance with this provision, the Brokers may seek reimbursement of their reasonable expenses actually incurred by providing info@CannTrustSecuritiesSettlement.ca with the proper documentation supporting the expenses for which reimbursement is sought, provided that the Brokers may only cumulatively request up to \$25,000 CAD in total for the expenses relating to the distribution of the Notice to Securities Claimants. If the amounts submitted in aggregate exceed \$25,000 CAD, each Broker's claim shall be reduced on a pro rata basis. Each brokerage firm must submit its account by March 16, 2022 in order to be entitled to a pro rata payment.

- (i) Assante Corp
- (ii) BMO Nesbitt Burns
- (iii) Canaccord Capital
- (iv) CIBC Wood Gundy
- (v) Desjardins Securities
- (vi) Dundee Wealth Management Inc.
- (vii) E*Trade Canada
- (viii) Edward Jones
- (ix) HSBC InvestDirect
- (x) Investors Group Inc.
- (xi) National Bank Financial
- (xii) RBC Dominion Securities Inc.
- (xiii) Raymond James Ltd.
- (xiv) Scotia McLeod
- (xv) TD Waterhouse
- (xvi) Jarislowsky Fraser
- (xvii) Montrusco Bolton
- (xviii) Manulife
- (xix) Fiera Capital

IN THE MATTER OF THE *COMPANIES' CREDITORS ARRANGEMENT ACT*,
R.S.C. 1985, c. C-36, AS AMENDED AND IN THE MATTER OF A PLAN OF COMPROMISE
OR ARRANGEMENT OF CANNTRUST HOLDINGS INC. ET AL.

Court File No. CV-20-00638930-0CL

ONTARIO
SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST)
Proceeding commenced at Toronto

ORDER
(Additional RSAs, Notice, Claims Administration)

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