

Alberta Rules of Court

COURT FILE NO. 0501 08152

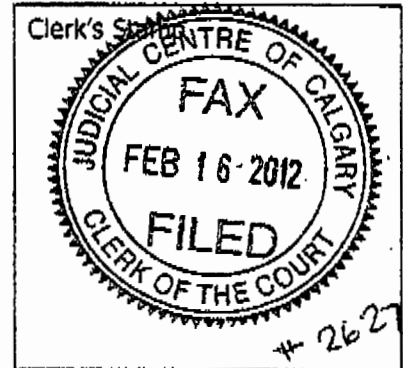
COURT COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE CALGARY

PLAINTIFFS DOUGLAS ALEXANDER and WILLIAM BARRETT, as Representative Plaintiffs

DEFENDANTS HMS FINANCIAL INC., et al

DOCUMENT **ORDER APPROVING CLASS SETTLEMENTS**



ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT

McLENNAN ROSS LLP  
1600 Stock Exchange Tower  
300 - 5<sup>th</sup> Avenue SW  
Calgary, AB T2P 3C4

Lawyer: Graham McLennan  
Telephone: (780) 482-9200  
Fax: (780) 482-9100  
Email: gmclennan@mross.com  
File: 251207

DATE ON WHICH ORDER WAS PRONOUNCED: February 14, 2012.

LOCATION WHERE ORDER WAS PRONOUNCED: CALGARY, ALBERTA.

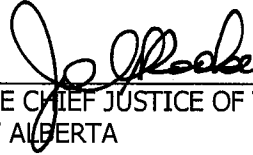
NAME OF JUDGE WHO MADE THIS ORDER: ASSOCIATE CHIEF JUSTICE ROOKE.

UPON THE APPLICATION of the Plaintiff Class; AND UPON having read Affidavit No. 23 of Douglas Alexander; IT IS HEREBY ORDERED THAT:

1. The settlements entered into between the Plaintiff Class and the Defendants, as more particularly described in Affidavit No. 23 of Douglas Alexander are approved pursuant to the provisions of the *Class Proceedings Act S.A., 2003, c. C-16.5*;
2. Pursuant to the terms of the settlement, the default judgment entered against Don MacGillivray is set aside.
3. Further, pursuant to the terms of the settlement, this Action is discontinued without costs as against Don MacGillivray;
4. Pursuant to the terms of the settlements, this Action is also discontinued without costs, as against the following Defendants:
  - (a) Robert Ter Borg;
  - (b) Jack Folsom;
  - (c) Jim Folsom;

- (d) Eugene Leroy Duce;
- (e) The Hillpro Group Inc.;
- (f) Enrique Toscano ;
- (g) Lee-Anna Toscano;
- (h) Five Continents Consulting Corporation; and
- (i) Five Continents Consulting.

5. All parties will bear their own costs with respect to this Action.



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ASSOCIATE CHIEF JUSTICE OF THE COURT OF QUEEN'S  
BENCH OF ALBERTA