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**OFFICIAL COURT NOTICE:  
NOTICE OF HEARING TO APPROVE PROPOSED SETTLEMENT IN THE COAST CAPITAL CLASS  
ACTION**

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**1. WHAT IS THIS CLASS ACTION ABOUT?**

There is a certified class action in BC against Coast Capital Savings Credit Union (“Coast Capital”) in relation to ATM withdrawals outside of Canada occurring between August 28, 2007 and August 31, 2015 (the “Class Action”).

The Class Action alleges contraventions of the *Business Practices and Consumer Protection Act* and breach of contract in relation to foreign exchange conversion surcharges from withdrawals from ATMs located outside of Canada. Coast Capital denies the allegations.

You are a “Class Member” if you are a resident of British Columbia and you withdrew foreign currency from your personal Coast Capital account through an ATM on the Plus System or the Cirrus System outside of Canada from August 28, 2007 to August 31, 2015, and you have not opted out of this Class Action.

**2. WHAT IS THE REASON FOR THIS NOTICE?**

The purpose of this notice is to advise Class Members of a hearing to approve:

- a settlement agreement;
- a plan for administering and distributing funds paid pursuant to the settlement agreement (the “Settlement Funds”);
- an honourarium to be paid to the representative plaintiff, Eric Finkel (the “Representative Plaintiff”); and
- Class Counsel’s legal fees and expenses.

The hearing is scheduled to take place in the Supreme Court of British Columbia before Justice Masuhara at 10:00am on September 22, 2022.

**3. WHAT SETTLEMENT HAS BEEN ACHIEVED IN THE CLASS ACTIONS?**

The parties have reached a settlement in the Class Action. Although Coast Capital denies liability, it has agreed to pay Settlement Funds in the amount of \$1.4 million to settle the claim against it in exchange for a full release of claims. The Representative Plaintiff, Class Counsel, and Coast Capital believe that this is a fair settlement, taking into account all the strengths, weaknesses, and risks of the case.

The settlement agreement also includes:

- additional disclosures on a travel page on Coast Capital's website;
- certain assistance from Coast Capital in the transfer (at the direction of Class Counsel) of some of the Settlement Funds; and
- releases in favour of Coast Capital.

This notice contains a summary of some of the terms of the settlement agreement. If there is a conflict between the provisions of this notice and the settlement agreement, the terms of the settlement agreement shall prevail. The full terms of the settlement agreement can be found at [www.cfmlawyers.ca/coastforex](http://www.cfmlawyers.ca/coastforex).

The settlement is subject to court approval in British Columbia. The court will review all aspects of the proposed settlement to ensure that it is fair, reasonable, and in the best interests of the class.

Coast Capital does not admit any wrongdoing or liability. The settlement agreement will resolve the Class Action in full.

#### **4. HOW WILL THE SETTLEMENT FUNDS BE DISTRIBUTED?**

If the settlement agreement is approved, the settlement achieved in this litigation will be for \$1.4 million. The Settlement Funds, plus interest, and less court-approved legal fees, disbursements, administration expenses, and applicable taxes (the "Net Settlement Amount"), will be available for compensation to Class Members who have not opted out of the Class Action.

If you opted out of this Class Action, you will not be entitled to participate in the claims process. Please note that Class Counsel does not represent anyone who opted-out and therefore Class Counsel will not be advocating on behalf of such individuals.

For Class Members who have not opted out, the value of each Class Members' claim for the purpose of determining their share of the Net Settlement Funds will be calculated based on: (a) the date of the foreign currency withdrawal, and (b) the dollar value of the withdrawal. Visit [www.cfmlawyers.ca/coastforex](http://www.cfmlawyers.ca/coastforex) for more details of the proposed notice and settlement administration plan.

Class members identified as having an active Coast Capital membership with an associated active deposit account will have their share of the Net Settlement Funds transferred directly into their accounts. Other class members will be required to submit a claim to Class Counsel in order to receive their share of the Net Settlement Funds. Further notices providing details of the claims process will be published at a later date.

This notice contains a summary of some of the terms of the plan for administration and distribution. If there is a conflict between the provisions of this notice and the plan for administration and distribution, the plan for administration and distribution shall prevail. The full proposed plan for the administration and distribution of the Net Settlement Amount, as well as the latest updates in respect of this Class Action, can be found at [www.cfmlawyers.ca/coastforex](http://www.cfmlawyers.ca/coastforex).

**5. WHAT IS THE HONOURARIUM BEING SOUGHT?**

A representative plaintiff may be awarded compensation (called an “honourarium”) in recognition of the active and necessary assistance he or she provided in the preparation or presentation of the Class Action when such assistance resulted in success for the class.

Payment of an honourarium is not part of the terms of the settlement. It is within the discretion of the Court. The Representative Plaintiff will be requesting an honourarium be approved by the Court at the Settlement Approval Hearing.

Visit [www.cfmlawyers.ca/coastforex](http://www.cfmlawyers.ca/coastforex) for more information.

**6. WHAT ARE THE CLASS COUNSEL LEGAL FEES AND EXPENSES BEING SOUGHT?**

The Class Members are being represented by the law firm Camp Fiorante Matthews Mogerman. The firm can be contacted at:

Telephone (toll-free): 1-800-689—2322

Email: [CoastCapitalClassAction@cfmlawyers.ca](mailto:CoastCapitalClassAction@cfmlawyers.ca)

Mail: #400-856 Homer Street, Vancouver, BC V6B 2W5, Attention: Aisling Slevin

Class Counsel are seeking court approval for payment of its legal fees and expenses out of the Settlement Fund. The fees being sought by Class Counsel are 30% of the first \$1,000,000 collected, and then 25% of any amount in excess of \$1,000,000, plus expenses and applicable taxes incurred in pursuing the Class Action.

Visit [www.cfmlawyers.ca/coastforex](http://www.cfmlawyers.ca/coastforex) for more information.

**7. WHAT HAPPENS NEXT?**

A hearing seeking court approval of the settlement agreement, the plan for administering and distributing the Settlement Funds, the payment of an honourarium to the Representative Plaintiff, and the payment of Class Counsel’s legal fees and expenses is scheduled to take place in the Supreme Court of British Columbia before Justice Masuhara at 10:00am on September 22, 2022.

If you wish to comment on or object to the settlement agreement, the plan for administering and distributing the Settlement Funds, the honourarium to be paid to the Representative Plaintiff, and/or Class Counsel’s legal fees and expenses, you must do so in writing in advance of the hearing

by way of a letter or email. The letter or email objection must be received by Class Counsel by 12:00 P.M. (noon) on September 15, 2022. Please forward all such written communications to Class Counsel. Any objections will be put before the court. It will be up to the court to decide at the hearing whether to permit class members to present their objections orally, if they wish to do so.

**8. WHAT IF I HAVE ADDITIONAL QUESTIONS?**

Visit [www.cfmlawyers.ca/coastforex](http://www.cfmlawyers.ca/coastforex) for more information. If you still have questions, please contact Class Counsel by email at [CoastCapitalClassAction@cfmlawyers.ca](mailto:CoastCapitalClassAction@cfmlawyers.ca) or call toll-free at 1-800-689-2322.

Please do not contact the Court to ask questions about this lawsuit or the settlement. All questions should be directed to Class Counsel.

Please note that all communications with Class Counsel will be treated as confidential, other than objections provided under part 7 of this notice, which will be put before the court.

**THIS NOTICE HAS BEEN AUTHORIZED BY THE SUPREME COURT OF BRITISH COLUMBIA**