

No.: 500-06-000074-985

ANNEX II

HARRY DIKRANIAN
Plaintiff

vs.

THE ATTORNEY GENERAL OF QUÉBEC
Defendant

and

FONDS D'AIDE AUX RECOURS COLLECTIFS
Mises en cause

NOTICE OF CLASS ACTION JUDGMENT IN THE MATTER OF STUDENT LOANS OF 1997 AND 1998

On December 2, 2005, the Supreme Court of Canada rendered a decision that recognized the right of certain student borrowers during the years 1997 and 1998 to benefit from an exemption from the payment of interest provided for in their last loan certificate. The Court also recognized the rights of students having overpaid such interest to obtain reimbursement from the government of Québec. On December 7, 2007, the Superior Court ordered the recovery of such overpaid interest by way of individual claims in conformity with the claim procedure hereinafter detailed. The following students (subsequently referred to as *persons*) are eligible to claim reimbursement:

GROUP A: All students who, on June 30, 1997, had obtained one or more student loans after signing a Loan Certificate issued by Aide financière aux études, who did not obtain other student loans after June 30, 1997, and who completed or abandoned their studies after June 30, 1997.

GROUP B: All students who, on April 30, 1998, had obtained one or more student loans after signing a Loan Certificate issued by Aide financière aux études, who did not obtain other student loans after April 30, 1998, and who completed or abandoned their studies after April 30, 1998.

These persons are entitled to the reimbursement of such overpaid interest, plus interest at the legal rate commencing June 10, 1999, plus the additional indemnity. From each sum owing to a person, the Court ordered on January 7, 2008, the deduction of a first percentage charge as determined by the *Regulation on the percentage deducted by the Fonds d'aide aux recours collectifs* and a second percentage charge of 20%, plus the applicable taxes, for payment of Plaintiff's attorneys' fees and disbursements in accordance with the fee agreement ratified by the Court.

CLAIM PROCEDURE

To receive reimbursement of such overpaid interest, a person must, **as of June 2, 2008, but not later than June 1, 2009**, file a claim on-line on the Web site of Aide financière aux études (AFE) of the Ministère de l'Éducation, du Loisir et du Sport at www.afe.gouv.qc.ca (telephone assistance is available at 418-646-3979 or 1-866-584-3979). To activate his claim, the person must open a session by clicking on *Student loan class action 1997-1998* under the heading *On-Line Access to Your File!* For each activated claim, the AFE Web site will indicate the following:

FOR PERSONS WHOSE REIMBURSEMENT IS CALCULATED AUTOMATICALLY (FIRST INSTANCE):

- A message specifying whether or not the person is eligible for reimbursement;
- The amount of the reimbursement and the two deductions, and the parameters used to calculate the amount of the reimbursement;
- The option to accept the amount indicated.

FOR PERSONS WHOSE REIMBURSEMENT IS CALCULATED BY AN AFE OFFICER (SECOND INSTANCE):

- The information available in the person's file;
- The option to authorize an AFE officer to calculate the reimbursement.

In the first instance, the person must accept the amount of the reimbursement indicated on the AFE Web site **no later than June 1, 2009**. If the amount is accepted, the person is deemed to have renounced his right to a revision and, in the following days, AFE will send the person a cheque or statement of account with a credit note, as the case may be. If the person wishes to contest his ineligibility or the amount of the reimbursement indicated, he may avail himself of his right to a revision by completing and mailing to AFE **no later than June 1, 2009** (the postmark establishes the date), the revision form available on the AFE Web site.

In the second instance, the person must, **no later than June 1, 2009**, authorize an AFE officer to calculate the reimbursement. The person shall receive by mail or, upon request, by e-mail, notice attesting that his reimbursement calculation is available on the AFE Web site. The person must, **no later**

than June 1, 2009, or the 45th day following the date of such notice, whichever is later, accept the amount of the reimbursement indicated on the AFE Web site. If the amount is accepted, the person is deemed to have renounced his right to a revision and, in the following days, AFE shall send the person a cheque or statement of account with a credit note, as the case may be. If the person wishes to contest his ineligibility or the amount of the reimbursement indicated, he may avail himself of his right to a revision by completing and mailing to AFE **no later than June 1, 2009, or the 45th day following the date of such notice**, whichever is later (the postmark establishes the date), the revision form available on the AFE Web site.

A person who has availed himself of his right to a revision will receive by mail the decision indicating whether or not he is eligible to receive reimbursement, the calculation of the reimbursement and a cheque corresponding to the amount indicated or a statement of account with a credit note, as the case may be. The person may contest this decision availing himself of his right to a judicial contestation. In this case, he must complete the judicial contestation form available on the AFE Web site and must, **no later than the 45th day following the date the revision decision is rendered**, deposit the completed form and supporting documents with the clerk of the Court at counter 1.120 of the Montréal Courthouse, which is located at 1, rue Notre-Dame Est. The person may cash his cheque up to six months after the date of its issuance in which case the person is deemed to have renounced his right to a judicial contestation.

A person who has submitted a judicial contestation must present himself in person at a hearing before a judge for disposition of his contestation. The person may be represented by an attorney. This hearing shall be held on **December 7, 2009**, at 9:30 a.m., in room 15.04 of the Montréal Courthouse, which is located at 1, rue Notre-Dame Est.

In the event that an eligible person is deceased, the liquidator or the heirs can obtain a claim form by contacting AFE.

DATES TO REMEMBER (DEADLINES WILL BE STRICTLY ENFORCED)

For all persons, the date as of which the claim procedure can be accessed on the AFE Web site:
June 2, 2008

For persons whose reimbursement claim is calculated automatically:

- Deadline for accepting the amount of the reimbursement indicated on the AFE Web site or for mailing the request for revision to AFE: **June 1, 2009**
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For persons whose reimbursement must be calculated by an AFE officer:

- Deadline for authorizing an AFE officer to calculate the reimbursement: **June 1, 2009**
 - Deadline for accepting the amount of the reimbursement indicated on the AFE Web site or for mailing the request for revision to AFE: **June 1, 2009, or the 45th day following the date of the information notice, whichever is later**
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In the event that a person has availed himself of his right to a revision:

- Deadline for filing a request for a judicial contestation before the Court: **the 45th day following the date the decision in revision is rendered**
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In the event that a person has availed himself of his right to a judicial contestation:

- Hearing date for the disposition of the judicial contestation: **December 7, 2009**
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FOR INFORMATION REGARDING THE CLAIM PROCEDURE

Aide financière aux études
Ministère de l'Éducation, du Loisir et du Sport
1035, rue De La Chevrotière
Québec (Québec) G1R 5A5
Tel.: 418-646-3979 or 1-866-584-3979
www.afe.gouv.qc.ca

FOR OTHER INFORMATION REGARDING THE CLASS ACTION

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