

**ONTARIO
SUPERIOR COURT OF JUSTICE**

The Honourable
Mr. Justice Paul Perell

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Tuesday, the 31st Day of
August, 2010

BETWEEN:

JOSEPH FANTL

Plaintiff

-and-

TRANSAMERICA LIFE CANADA

Defendant

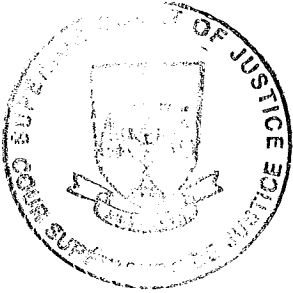
Proceeding under the *Class Proceedings Act, 1992*

ORDER

(Variation of Settlement Approval Order)

THIS MOTION for an order varying the certification and settlement approval order, dated August 10, 2009 (“Settlement Approval Order”) in this proceeding and other relief was heard this day by case conference at 130 Queen Street West, Toronto, Ontario.

ON READING all material filed and hearing the submissions of the parties and in accordance with the File/Direction /Order of this Court of today’s date,



1. **THIS COURT ORDERS** that Schedule 1, section 38 of the Settlement Approval Order is hereby varied so that the *de minimus* payments referred to therein shall be paid to the Heart and Stroke Foundation forthwith.

2. **THIS COURT ORDERS** that Transamerica Life Canada pay into the Settlement Fund trust account the amount of \$22,862.55 plus accrued interest in the amount of \$399.62 and that this amount shall also be paid to the Heart and Stroke Foundation forthwith.

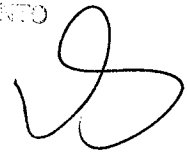


G. Argyropoulos, Registrar
Superior Court of Justice

ENTERED AT / RUCORIT À TORONTO
ON / LOUÉND:
LE / DANS LE REGISTRE NO.:

OCT 20 2010

AS DOCUMENT NO.:
À TITRE DE DOCUMENT NO.:
SERVIR:



JOSEPH FANTL

- and -

TRANSAMERICA LIFE CANADA

Plaintiff


Defendant

Court File No.: 06-CV-306061-CP

**ONTARIO
SUPERIOR COURT OF JUSTICE**

PROCEEDING COMMENCED AT TORONTO

**ORDER
(Variation of Settlement Approval Order)**


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