

ONTARIO  
SUPERIOR COURT OF JUSTICE

THE HONOURABLE  
MR. JUSTICE PERELL

) Tuesday the 11th day of  
)  
) September, 2013  
)

BETWEEN:

JOSEPH FANTL

Plaintiff/Moving Party



-and-

TRANSAMERICA LIFE CANADA

Defendant/Responding Party

Proceeding under the *Class Proceedings Act*, 1992

**ORDER**

**THIS MOTION**, made by the Plaintiff for an Order formally concluding the settlement of the Excess Management Fee Claim, as defined in the Certification & Settlement Approval Order of the Honourable Mr. Justice Perell dated August 10, 2009 ("Certification & Settlement Approval Order"), discharging Joseph Fantl as Representative Plaintiff, Class Counsel and Deloitte & Touche LLP as the Monitor/Administrator for the Settlement was read this day in Toronto, Ontario.

**ON READING** all material filed,

1. **THIS COURT DECLARES** that all parties have fulfilled their obligations pursuant to the terms of the Certification & Settlement Approval Order and that this Settlement is hereby concluded.
2. **THIS COURT ORDERS** that Joseph Fantl is hereby discharged as Representative Plaintiff and that he owes no further duties or obligations to the Class in respect of the Excess Management Fee Claim and its settlement and the administration thereof.
3. **THIS COURT ORDERS** that Deloitte & Touche LLP is hereby discharged as Monitor/Administrator and that it owes no further duties or obligations to the Class.
4. **THIS COURT ORDERS** that Roy O'Connor LLP is hereby discharged as Class Counsel in respect of the Excess Management Fee Claim and its settlement and the administration thereof and that they owe no further duties or obligations to the Class in respect of the Excess Management Fee Claim and its settlement and the administration thereof.
5. **THIS COURT DIRECTS** that a copy of this Order be posted or made available on the website of Roy O'Connor LLP for a period of not less than 60 days.

6. **THIS COURT ORDERS** that there be no costs of this motion.

Perell, J

ENTERED AT / INSCRIT A TORONTO  
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LE / DANS LE REGISTRE NO.:

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

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**JOSEPH FANTL**

Plaintiff

- and -

**TRANSAMERICA LIFE CANADA**

Defendant

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

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

**Proceeding commenced at Toronto**

**ORDER**

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**Solicitors for the Plaintiff**