

**BIRTH ALERTS
PROPOSED DISTRIBUTION PROTOCOL**

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SECTION 1 – GENERAL PRINCIPLES

1. The procedures set out in this Distribution Protocol are intended to govern the administration of the settlement agreement entered into with His Majesty the King in right of the Province of British Columbia (the “Province”), dated April 30, 2026, in the following action: *Zeleniski v. His Majesty the King in right of the Province of British Columbia*, BCSC Vancouver Registry No. S217852 (the “Settlement Agreement”), in the event that court approval of that settlement agreement is granted.
2. The administration of the Settlement Agreement will be managed by Class Counsel, the Claims Administrator and the Notice Provider. Employees of the Notice Provider will act as Claims Helpers and will provide support services to Claimants during the claims process.
3. The administration shall:
 - (a) Apply and implement trauma-informed principles and practices, including building in flexibility where possible;
 - (b) Presume that Claimants are acting honestly and in good faith in the absence of reasonable grounds to the contrary;
 - (c) Implement and conform to the Settlement Agreement, orders of the Courts and this Distribution Protocol;
 - (d) Employ secure, paperless, web-based systems with electronic registration and record keeping, with paper systems available as needed;
 - (e) Provide comprehensive, trauma-informed, culturally-safe and plain language noticing and Claimant support services as required under the Notice Plan
4. This Distribution Protocol is intended to facilitate distribution of the Net Settlement Amount among Settlement Class Members and into the Collective Fund.
5. To ensure a fair and efficient administration of the Net Settlement Amount, the Claims Administrator may recommend and/or Class Counsel may agree to adjust the claims process, including through an extension of the Claims Deadline or other deadlines.

SECTION 2 – DEFINITIONS

6. The definitions set out in the Settlement Agreement apply to and are incorporated in this Distribution Protocol. Where a term is defined in both the Settlement Agreement and the Distribution Protocol, the definition in this Distribution Protocol shall govern.
7. For the purpose of this Protocol, the following definitions apply:

- (a) **Additional Subclass Compensation** means an amount of compensation paid to Subclass Members;
- (b) **Approved Claim** means a claim approved by the Claims Administrator or the Arbitrator as complete and meeting the qualifications for establishing membership in the Settlement Class;
- (c) **Birth Alert** means a communication that:
 - (i) was sent or issued by a Child Welfare Worker, as defined in the Settlement Agreement;
 - (ii) was sent to a hospital;
 - (iii) referred to a person in British Columbia who was not a Child in Care;
 - (iv) expressed or implied that the person was pregnant; and,
 - (v) expressed or implied a concern that, after the person gave birth, their child might need protection;
- (d) **Child in Care** means a person under the age of 19 in the care or custody of the Provincial Director of Child Welfare or Province of British Columbia pursuant to the Child, Family and Community Service Act, R.S.B.C. 1996, c. 46, or Family and Child Service Act, S.B.C. 1980, c. 11;
- (e) **Claims Deadline** means the date by which claim forms (and any required supporting documentation) must be postmarked or electronically submitted in order for Settlement Class Members to be considered for compensation under this Distribution Protocol, which date shall be twelve (12) months after the second publication of the notice advising of the claims process, with the option to extend, at the discretion of Class Counsel;
- (f) **Claims Helpers** means employees of the Notice Provider that provide support services to Claimants during the claims process;
- (g) **Claimant** means every person who submits a claim;
- (h) **Collective Fund** means the portion of the Net Settlement Amount dedicated to indirectly benefitting Settlement Class Members, which will include any payments made to Class Members that remain undeposited at the end of the Claims Process;
- (i) **Deficiency** means incomplete or incorrect fields, missing or incomplete documentation, duplicative and/or possibly fraudulent information, but does not mean the absence of evidence of a Birth Alert.

- (j) **Direct Notice** means the Long-Form Notice that will be sent to Direct Notice Recipients.
- (k) **Direct Notice Recipients** means persons identified by the Defendant as having been potentially the subject of a Birth Alert during the Class Period.
- (l) **General Notice** means the Long-Form Notice that will be distributed to people who are not Direct Notice Recipients, and relevant organizations.
- (m) **Net Settlement Amount** means the Settlement Amount, plus accrued interest, less:
- (i) Class Counsel Fees and disbursements as approved by the Court;
 - (ii) Claims Administration and Notice Costs as approved by the Court;
 - (iii) Taxes accruable with respect to the income earned on the settlement funds prior to distribution (including interest and penalties); and
 - (iv) Any other deductions approved by the Courts.
- (n) **Notice Provider** means the court appointed notice provider;
- (o) **Notice Start Date** means the date the first form of notice is issued, which shall be no later than six (6) months before the Settlement Approval Hearing;
- (p) **Online Claims Portal** means the website maintained by or on behalf of the Claims Administrator for the purposes of allowing Claimants to submit claims.
- (q) **Relevant Births** means births identified by a Claimant as relevant to their membership in the Class;
- (r) **Settlement Class Members** means all persons who were the subject of a Birth Alert during the Class Period, and who have not opted-out of this Class Action;
- (s) **Settlement Compensation** means funds paid to Settlement Class Members who submit Valid Claims;
- (t) **Settlement Website** means the website maintained by or on behalf of the Notice Provider for the purposes of providing Class Members with information on the Settlement Agreement, the Distribution Protocol, the claims process, key deadlines and requirements, resources and relevant supports and access to the Online Claims Portal;
- (u) **Statutory Declaration** means the document appended to this Distribution Protocol as Schedule A.

- (v) **Subclass Members** means all Settlement Class Members who submit Approved Claims and who submit an accepted Subclass Verification Document;
- (w) **Subclass Verification Document** means a Status Card or number, Métis registry or citizenship number, or Inuit disc or beneficiary number, a Temporary Confirmation of Registration document or a completed Statutory Declaration;
- (x) **Supplementary Documentation** means a PDF document of maximum 5 pages in length, that Claimants may submit as evidence of the existence of a Birth Alert.

SECTION 3 – DISTRIBUTION OF SETTLEMENT AMOUNTS

Amount Available for Distribution

- 8. The Net Settlement Amount will be available to:
 - (a) provide Settlement Compensation to Settlement Class Members who make Approved Claims; and
 - (b) establish a Collective Fund.

Allocation of the Net Settlement Amount

- 9. The final allocation of the Net Settlement Amount among Settlement Class Members with Approved Claims and the Collective Fund will be determined after the Claims Deadline passes, and the number of Valid Claims is known.
- 10. Every Settlement Class Member who submits an Approved Claim will receive compensation of at least \$2000. Each Settlement Class Member who is not a Subclass Member will receive the same share of the Net Settlement Amount.
- 11. Claims filed by the estate or representative of a deceased Settlement Class Member are not eligible for Settlement Compensation under this Distribution Protocol. Such claims will not be approved by the Claims Administrator.
- 12. Membership in the Subclass will be determined by the Claims Administrator. Membership in the Subclass will be established by providing a Subclass Verification Document. At the discretion of the Claims Administrator, the Claims Administrator may contact any Claimant for more information about the Subclass Verification Document(s) provided.
- 13. Subclass Members will receive Additional Subclass Compensation in an amount to be determined after the Claims Deadline passes, and the number of Approved Claims is known. Every Subclass Member will receive the same share of the Net Settlement Amount.
- 14. The Collective Fund is intended to provide an indirect benefit to Settlement Class Members, including those who do not file an Approved Claim. The Collective Fund will be directed

towards organizations that support families in the prenatal, perinatal and postnatal periods, with a particular focus on organizations supporting Subclass Members.

SECTION 4 – THE CLAIMS PROCESS

Notice Phases

15. There will be two notice phases. Phase one of notice will commence on the Notice Start Date, which will be no later than six (6) months before the Settlement Approval Hearing. Phase 2 of notice will commence if and when the Court approves the Settlement Agreement and Distribution Protocol.

16. Claimants may submit claims through the Online Claims Portal anytime between the Notice Start Date and the Claims Deadline.

17. The Claims Administrator will create the Online Claims Portal that Settlement Class Members can use to file a claim. The Settlement Website will contain a link to the Online Claims Portal.

18. The Online Claims Portal will contain fields that allow the Claimant to provide all applicable information and documentation required as part of the claim.

19. Claimants will be encouraged to complete and submit a claim electronically using the Online Claims Portal.

20. Claimants who do not have internet access or are otherwise unable to submit a claim using the Online Claims Portal can contact the Claims Helpers for assistance. The Claims Helpers will either: a) send the Claimant a hardcopy claim form by mail, to be completed by the Claimant; or b) assist the Claimant with filing an online or paper claim by telephone or video platform, including supporting, to the best of their ability, Claimants sending necessary documentation to the Claims Administrator. Where useful and cost-effective, Claims Helpers may set up in-person clinics to assist Claimants in submitting claims.

21. The Claims Administrator shall develop procedures for securely gathering and recording in an electronic format the information provided by Claimants through the Online Claims Portal.

Claim Form

22. The Claim Form will require the following information:

- (a) Name of Claimant;
- (b) Date of birth;
- (c) Personal Health Number;

- (d) Approximate date(s) of Relevant Birth(s);
 - (e) The hospital(s) in which Relevant Birth(s) took place;
 - (f) A copy of identification including valid identification (front and back) issued by the Canadian federal government or a government of a Canadian province or territory;
 - (g) Whether the Claimant identifies as a Subclass Member, and if so, provision of a Subclass Verification Document;
 - (h) Whether the Claimant was a minor and a “Child in Care” at the time of the Relevant Birth(s);
 - (i) If possible, an email address and/or phone number for the Claimant that the Notice Provider can use to distribute future notices and the Claims Administrator can use to communicate with the Claimant and issue decision notices;
 - (j) Other contact information, including current address; and
 - (k) A declaration that the information submitted in the Claim Form is true and correct.
23. The Claim Form will request that Claimants provide the following approvals:
- (a) Authorization for Class Counsel to request and review hospital records from the listed hospital(s) for the period of nine months before and three months after the date(s) they gave birth, or alternatively, the option to skip this step if the Claimant is a Direct Notice Recipient and has submitted a valid Claim Form;
 - (b) Consent to the use and sharing by Class Counsel, the Notice Providers (including Claims Helpers), the Claims Administrator, the Arbitrator and their representatives, of their personal information for the purposes of adjudicating their claim and analysing their eligibility for Settlement Compensation, including any and all court-mandated or legally-required reporting; and
 - (c) Authorization for the Claims Administrator to contact the Claimant or their representative, as the Claims Administrator deems appropriate, for more information and/or to audit the Claim Form.
24. Claimants will have the option to provide contact information for individuals or organizations whom the Claimants authorize Claims Helpers, Class Counsel and the Claims Administrator to contact if they cannot make contact with the Claimant.
25. Claim Forms submitted by a third-party on behalf of a Claimant are not permitted. Claims Helpers and other individuals may assist a Claimant with filing a claim on their own behalf.

Claims Adjudication

Timing and Adjudication of the Claims

26. Adjudication of claims will commence after the Settlement Agreement has been approved by the Court and will be completed on a rolling basis.
27. Completed Claim Forms and any supporting documentation must be submitted electronically to the Claims Administrator no later than the Claims Deadline, or must be postmarked no later than the Claims Deadline.
28. Subject to the discretion of the Claims Administrator, Claims may be amended after the Claims Deadline.
29. Unless otherwise ordered by the Court, any Claim Form submitted after the Claims Deadline will be rejected by the Claims Administrator and such rejection will not form the basis for any appeal.
30. Whether Class Counsel has requested, received, and/or reviewed Claimants' hospital records by the Claims Deadline does not affect the determination of whether a Claim Form has been submitted by the Claims Deadline.

First Review Stage: Claimant Identity

31. The Claims Administrator will verify the Claimant's identity and, if applicable, Subclass Membership in accordance with this Protocol.
32. If the Claimant is a Direct Notice Recipient who has submitted a valid Claim Form, the Claims Administrator will communicate to the Class Member that their claim has been accepted as an Approved Claim.

Second Review Stage: Hospital Records Review

33. The Claims Administrator will provide Class Counsel with the information and approvals necessary to request the Claimant's hospital records.
34. Class Counsel will request the relevant hospital records for the period of nine months before and three months after the relevant births.
35. Class Counsel will review the hospital records to determine whether the records contain evidence that a Birth Alert was issued. Evidence of a Birth Alert may include:
 - (a) Hand-written or typed notes of a child welfare worker indicating they spoke with hospital staff, or sent some form of communication to hospital staff that expressed or implied a message that after the pregnant person gave birth, child welfare services should be notified;

(b) Hand-written or typed notes of a hospital staff member indicating a child welfare worker communicated to them or another hospital staff member, or to the hospital generally, that after a pregnant person gave birth, child welfare services should be notified; and

(c) Written notification or document sent to a hospital communicating a Birth Alert.

36. For clarity, evidence of a Birth Alert does not include situations where a hospital worker contacted a child welfare worker before or after a pregnant person gave birth to request support from child welfare services and no other evidence of a Birth Alert exists.

37. On a rolling basis Class Counsel will inform the Claims Administrator whether a Claimant's hospital records contain evidence of the existence of a Birth Alert.

38. If evidence of a Birth Alert is identified in the hospital records, and the Claim Form is otherwise valid, the Claims Administrator will communicate to the Class Member that their claim has been accepted as an Approved Claim.

39. The notice of Approved Claim will inform the Claimant that the Claimant may obtain their hospital records reviewed by Class Counsel by requesting that those records be mailed or emailed to them.

40. Claims Helpers may also advise Class Counsel if certain Claimants wish to obtain their hospital records, and the email or mailing address to which they should be sent.

41. Class Counsel will respond to requests for hospital records from the Claimants. Claimants may request that Claims Helpers assist with the process for obtaining hospital records from Class Counsel.

42. Claims Helpers will not review hospital records of Claimants, but Claimants may choose to share with the Claims Helpers any portion of their hospital records relating to communication between a) child welfare workers, MCFD and/or delegated agencies and b) hospitals or hospital staff.

43. Class Counsel is working with the Provincial Health Authorities to develop a workable plan to deal with the anticipated high volume of hospital record requests. At the Notice Approval Hearing, the Plaintiff will seek an order for the payment of reasonable expenses associated with requesting and reviewing Claimants' hospital records out of the Settlement Amount. Class Counsel will update the Court once there is certainty as to what this cost will be, and will also seek further order(s) from the Court as necessary to facilitate the requesting and reviewing of Claimants' hospital records.

Third Review Stage: Supplementary Documentation

44. If evidence of a Birth Alert is not identified, the Claims Administrator will advise the Claimant in writing by mail or email. The Claims Administrator will communicate the following information to the Claimant:

- (a) The contact information for the Claims Helpers;
- (b) That the Claimant may submit Supplementary Documentation;
- (c) The process for submitting Supplementary Documentation, including that Claimants will have until the end of the Claims Period, or 90 days from the day the Claims Administrator advises the Claimant that no evidence of a Birth Alert has been identified, whichever is later, to provide Supplementary Documentation; and
- (d) That the Claimant may obtain their hospital records reviewed by Class Counsel by requesting that those records be mailed or emailed to them.

45. Supplementary Documentation will be reviewed by the Claims Administrator for evidence of the existence of a Birth Alert. Evidence of a Birth Alert may include:

- (a) Hand-written or typed notes of a child welfare worker indicating they spoke with hospital staff, or sent a communication to hospital staff that expressed or implied a concern that after a pregnant person gave birth, child welfare services should be notified;
- (b) Hand-written or typed notes of a hospital staff member indicating a child welfare worker communicated to them or another hospital staff member, or to the hospital generally, that that after a pregnant person gave birth, child welfare services should be notified;
- (c) Written notification or document sent to a hospital communicating a birth alert; and
- (d) The presence in an MCFD file or document of one or more of the following words: "birth alert", "BA", "birth notice", "BN", "hospital alert", "HA", "hospital notice", "HN", "maternity alert", "expectant mother alert", "hospital notification", "faxed alert".

46. If the Claims Administrator is satisfied that the Supplementary Documentation includes evidence of the existence of a Birth Alert, the Claims Administrator will communicate to the Class Member that their claim has been accepted as an Approved Claim.

47. If the Claims Administrator concludes that the Supplementary Documentation does not include evidence of the existence of a Birth Alert, the Claims Administrator will communicate to the Claimant that their claim has not been accepted and, on the basis of the information reviewed, the Claimant is not a Settlement Class Member.

48. Claims Helpers will not assist Claimants with requesting MCFD files.

Deficiencies and Review Process

49. The Claims Administrator will review all Claim Forms for (or implement processes to detect) deficiencies including incomplete fields, missing documentation, duplicative or fraudulent claims, and out-of-country claims.

50. The Claims Administrator will perform such checks and balances that are industry standard to ensure the validity of the claims made and, in its sole discretion, may elect to audit any claim.

51. The Claims Administrator will reject a claim, in whole or in part, where, in the Claims Administrator's view, the Claimant provided false or erroneous information, the Claimant is not a Settlement Class Member, and/or the Claimant has otherwise committed fraudulent acts.

52. Deficiencies will be communicated to Claimants on a rolling basis. The Claims Administrator will notify Claimants by email and/or mail if their Claim was identified as being supported by insufficient documentation or lacking required information (a "Deficiency"). The Claims Administrator will provide the Claimant with instructions for remedying any Deficiency(ies) and will provide ninety (90) days from the date of such notice to remedy any Deficiency(ies). The Claims Administrator will also provide the contact information for Claims Helpers.

53. A Claim Form that is not supported by any evidence of the existence of a Birth Alert is not a Deficiency.

54. When a Claimant is notified by the Claims Administrator of a Deficiency, the Claims Administrator will also give the Claims Helpers notice of the Deficiency. Claims Helpers are available to assist Claimants with their efforts to remedy a Deficiency.

55. If the Deficiency is not corrected within the ninety (90) day period, the Claims Administrator will deny the claim and the Claimant will have no further opportunity to correct the Deficiency. Such rejection will not form the basis for any appeal.

Claims Administrator's Decision

56. In respect of each Claimant and Settlement Class Member who has filed a claim, the Claims Administrator will:

- (a) Determine whether the Claimant is eligible to receive Settlement Compensation in accordance with the Settlement Agreement, this Protocol and any related Court orders;
- (b) Give the Claimant timely notice of the approval or denial of the Claim (the "Decision Notice");
- (c) Provide information to the Claimant about the availability of an appeal of the Claims Administrator's decision, and the process for initiating such an appeal;

(d) Inform Claimants whose claims have been approved that the full compensation amount will not be available until after the end of the Claims Period, once all claims have been fully assessed; and

(e) Calculate the Claimant's Settlement Compensation based on the Settlement Agreement, this Protocol and in consultation with Class Counsel.

57. The amount of any compensation will be determined with reference to:

(a) The Net Settlement Amount, less Class Counsel fees and disbursements, notice and administration costs, and allocations to a Collective Fund;

(b) Membership in the Subclass; and

(c) The number of Approved Claims.

58. The Claims Administrator's decision will be binding upon the Claimant, subject to the Claimant's limited right to appeal, as outlined in paragraphs 59-64.

Appeal of the Claims Administrator's Decision

59. Claimants cannot appeal a requirement set by the Settlement Agreement or this Protocol, or the denial of a claim based on a failure to remedy a Deficiency.

60. Claimants can request an appeal of a Decision Notice rejecting their Claim.

61. Claims Helpers will be available to support Claimants during the appeal process.

62. Appeals will be decided by an arbitrator proposed by Class Counsel and appointed by the Court (the "Arbitrator").

63. The following procedure will govern these appeals:

(a) Appeals must be submitted electronically or postmarked within sixty (60) days from the date of the Decision Notice.

(b) Appeals must be made in writing, and may consist of no more than 5 pages of written or typed text describing the basis for the appeal. Documents that were not provided to the Claims Administrator through the claims process cannot be submitted in an appeal. Any new documentation provided as part of the appeal will not be provided to the Arbitrator for consideration.

(c) Within ten (10) days of receipt of an appeal, the Claims Administrator will provide Class Counsel with a copy of the documentation provided by the Claimant as part of the claims process, the Decision Notice, and any other information that may be reasonably helpful (the "Appeal Record").

(d) If, upon consultation of Class Counsel, the Claims Administrator determines that the appeal is not permissible under paragraphs 55 and 59, the Claimant will be advised in writing no later than twenty (20) days after Class Counsel has been notified of the appeal and their Appeal Record will not be submitted to the Arbitrator.

(e) If the Claims Administrator determines that the appeal is valid, the Claims Administrator will notify the Claimant that the appeal will be submitted to the Arbitrator.

(f) Class Counsel will have thirty (30) days from the notice to provide written submissions on the appeal not exceeding five (5) pages, if they deem it appropriate. Class Counsel's written submissions form part of the Appeal Record.

(g) When the Appeal Record is finalized the Claims Administrator will submit it to the Arbitrator.

(h) The Arbitrator will render a decision in writing within thirty (30) days of receipt of the Appeal Record from the Claims Administrator.

64. The Arbitrator's decision will be final and binding and will not be subject to any further appeal or review whatsoever.

Claims Helpers Reports

65. At regular intervals throughout the claims process, the Notice Provider will report any concerns or issues with the Claims Process to Class Counsel, and Class Counsel will have the discretion to make necessary amendments to the Protocol if necessary to maintain a trauma informed and fair process.

66. At regular intervals the Notice Provider will report to Class Counsel the total Claimant support expenses incurred to that point and projected to be incurred at the end of the claims process.

67. Before Class Counsel brings its application for the approval of its Class Counsel Fees and disbursements, the Notice Provider will complete an interim report outlining its role in the claims process.

Payment of Settlement Compensation and Claims Administrator Reports

Interim Report of the Claims Administrator

68. At regular intervals throughout the claims process, and as soon as practicable after all claims are processed, the Claims Administrator will report to Class Counsel, stating the total number of Approved Claims and the number of Approved Claims of Subclass Members. Class Counsel will provide the reports from the Claims Administrator to counsel for the Province. The Claims Administrator will also report to Class Counsel the particulars of the Administration Expenses incurred to that point and projected to complete the Claims Administration.

69. Class Counsel may provide the Claims Administrator with all necessary information about Class Counsel Fees and disbursements sought and/or approved by the Court.

70. Class Counsel may request that the Claims Administrator complete an interim report, which may include information about the calculation of the Net Settlement Amount, and a proposed distribution of the Net Settlement Amount.

71. Class Counsel may report to the Court regarding the proposed distribution.

72. Following receipt of Class Counsel's instructions, the Claims Administrator will pay Approved Claims as expeditiously as possible.

73. Where possible, payments will generally be made by Interact e-transfer. If claims paid by cheque result in additional costs, those costs will form part of the costs of Claims Administration generally.

Reissuance of Payments

74. The Claims Administrator will have the discretion to reissue payments to a Settlement Class Member returned as undeliverable for one year from the issuance of the cheque. Any costs associated with locating current address information for the Settlement Class Member may be deducted from that Settlement Class Member's Compensation.

75. Cheques and transfers will be issued such that they are stale-dated. Cheques that are not cashed and become stale-dated will be reissued in the Claims Administrator's discretion based on the circumstances and the expense of the re-issuance, and within a maximum time period of one year from the issuance of the cheque.

76. If the cheques are not cashed or the Interact transfer payments are not accepted within one year from the date they were initially issued, the funds will be added to the Collective Fund.

Final Report of the Claims Administrator

77. As soon as practicable after all Approved Claims are paid, the Claims Administrator and Notice Provider will provide final reports on administration and notice to Class Counsel and the Court. Class Counsel will provide the final reports from the Claims Administrator and Notice Provider to counsel for the Province.

SECTION 5 – MISCELLANEOUS

Supervisory Powers of the BC Court

78. The Claims Administrator shall administer the Settlement Agreement and this Distribution Protocol under the ongoing authority and supervision of the Supreme Court of British Columbia.

Investment of Settlement Funds

79. The Settlement Amount shall be held in a guaranteed investment vehicle, liquid money market account or equivalent security with a rating equivalent to or better than that of a Canadian Schedule I bank (a bank listed in Schedule I of the *Bank Act*, SC 1991, c 46) held at a Canadian financial institution and all payments from the Settlement Amount shall be made from that account.

Financial Management

80. In addition to responsibilities associated with the Claims Process, the Claims Administrator may perform duties related to:

- (a) Cash management and audit control;
- (b) Preparing and submitting such financial statements, reports and records as directed by Class Counsel and/or the Courts; and
- (c) Fulfilling any tax reporting and arranging payments required arising from the Settlement Amount, including any obligation to report taxable income and make tax payments. All taxes (including interest and penalties) due with respect to the income earned by the Settlement Amount shall be paid from the Settlement Amount, before distribution to the Settlement Class Members. Any tax obligations that arise for Settlement Class Member(s) as a result of receiving any payment of the Net Settlement Amount are the sole responsibility of that Settlement Class Member.

Confidentiality

81. All information received from the defendant, Claimants or the Settlement Class Members is collected, used, and retained by the Claims Administrator pursuant to the *Personal Information Protection Act*, SBC 2003 c 63 for the purposes of administering the Settlement Agreement, including evaluating the Settlement Class Member's eligibility status under the Settlement Agreement. The information provided by the Claimant or Settlement Class Member is strictly private and confidential and will not be disclosed without the express written consent of the Claimant or Settlement Class Member, except in accordance with the Settlement Agreement, orders of the Court and/or this Distribution Protocol.

SCHEDULE "A" – STATUTORY DECLARATION RE INDIGENOUS IDENTITY

**STATUTORY DECLARATION
IN THE PROVINCE OF BRITISH COLUMBIA
RE: ZELENISKI V HMKBC, VANCOUVER REGISTRY NO. S-217852**

By signing this Claim Form:

1. I declare that:
 - (a) I am of Indigenous ancestry; and
 - (b) I identify as a First Nations, Inuit, and/or Métis person.
2. I declare that I am:
(check all that apply)
 - Status First Nation
 - Inuit enrolled
 - Status Métis
 - Non Status
3. My ancestral home/region/community or band name and number is:

4. I understand that by submitting this claim, I am authorizing the Claims Administrator to contact me or my representative as the Claims Administrator deems appropriate for more information and/or to audit this claim.
5. By signing this statutory declaration, I declare that the information provided in this Claim Form is true and correct and that I am authorized to sign on my behalf or the behalf of the Claimant.

SIGNATURE: [will be electronic signature on a website]