

ONTARIO SUPERIOR COURT OF JUSTICE

Class Action Certification and Proposed Settlement for Travelers to Riu Resorts* in the Dominican Republic

**Includes Riu Bachata, Riu Mambo and Riu Merengue resorts in Puerto Plata, Dominican Republic.*

A settlement has been reached in a class action lawsuit alleging that MyTravel Canada Holidays Inc. (“MyTravel”) booked holiday packages to the Riu Resorts in Puerto Plata, Dominican Republic for stays between December 20, 2004 and March 31, 2005 while an outbreak of the norovirus was occurring at the Resorts. The settlement provides benefits to anyone who purchased a package holiday from MyTravel to stay at a Riu Resort during this period and who had physical symptoms consistent with norovirus or who provided care to such a person during their holiday. The Settlement doesn’t mean that any law was broken or that MyTravel did anything wrong. If you have already received compensation (such as a travel voucher or cash) from MyTravel as a result of sickness during your stay at the Resorts between December 20, 2004 and March 31, 2005, you are not eligible to make a claim under the Settlement.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
Submit a Claim Form	This is the only way to request payment
Exclude Yourself	You will receive no payment, but will retain your right to take part in any other lawsuit against the Defendant
Object	Write to the Court about why you do not like the Settlement
Go to a Hearing	Ask to speak in Court about the fairness of the Settlement
Do Nothing	Receive no payment and give up your right to be part of any other lawsuit against the Defendant

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BASIC INFORMATION

1. WHY DID I GET THIS NOTICE PACKAGE?

You are receiving this Notice package because you or someone in your family may have booked a holiday package for accommodations at the Riu Resorts in Puerto Plata for a holiday between the dates of December 20, 2004 to March 31, 2005.

This Notice is being sent to advise you of your right to know about a proposed settlement of a class action lawsuit, and about your options, before the Court makes a final decision whether to approve the Settlement. If the Court approves the Settlement, an administrator will be appointed by the Court to make the payments for any approved claims received by the Class Members.

This Notice package explains the lawsuit, the Settlement, what benefits are available, who is eligible for them, and how to get them, as well as the rights of Class Members with respect to a motion for court approval of the Settlement.

The Court in charge of the case is the Ontario Superior Court of Justice.

2. WHAT IS THE LAWSUIT ABOUT?

The Plaintiff alleges that MyTravel booked holiday packages to the Riu Resorts in the Dominican Republic for stays between December 20, 2004 and March 31, 2005, while an outbreak of the norovirus was occurring at the Resorts.

3. WHY IS THIS A CLASS ACTION?

In a class action, one or more individuals, sometimes referred to as class representatives or named plaintiffs, sue on behalf of other individuals who have similar claims against the defendant. All of these individuals together make up the class or class members in the action. One court resolves the issues for the entire class, with the exception of those individuals who request exclusion from the class.

4. WHY IS THERE A SETTLEMENT?

In order to avoid the high costs of a trial and provide compensation to the affected individuals, both parties agreed to a settlement. The Court did not decide in favour of Plaintiff or the Defendant. The Class Representative and Class Counsel believe that the Settlement is fair, reasonable and in the best interest of everyone who may have been affected.

WHO IS INCLUDED IN THE SETTLEMENT?

5. HOW DO I KNOW IF I AM PART OF THE CLASS OR ELIGIBLE FOR SETTLEMENT BENEFITS?

You are a member of the Class if you meet the following description:

1. You are a Canadian resident,
2. You are not a resident of the province of Quebec,
3. You booked a vacation package from MyTravel for a stay at the Riu Resorts in Puerto Plata, Dominican Republic anytime between December 20, 2004 and March 31, 2005,
4. You have not previously entered into a settlement with MyTravel Canada Holidays, Inc. by receiving compensation and signing a release in favour of MyTravel.

You are eligible to participate in the Settlement and receive settlement benefits if you are a member of the Class, as described above, **and** you experienced physical symptoms consistent with the norovirus.

You may also be eligible for settlement benefits if you meet the following definition of the “Care Giver Class”:

1. You do not meet the requirements for compensation pursuant to the compensation grid outlined in the Settlement Agreement and in the Claim Form Instructions (included in this Notice package);
2. You spent a portion of time caring for a Level 3 Class Member while at the Riu Resorts;
3. You booked your vacation under the same booking reference as the Class Member or were the spouse, adult child, parent, grandparent, adult brother, or adult sister of the Class Member; and
4. You have not already been found eligible for compensation in connection with any other Level 3 claimant.

6. WHAT HOLIDAY PACKAGES ARE INCLUDED?

All vacation packages booked through MyTravel to stay at a Riu Resort in Puerto Plata, Dominican Republic between December 20, 2004 and March 31, 2005 are included.

7. I WAS EXPOSED, BUT DID NOT EXHIBIT SYMPTOMS, AM I INCLUDED?

You are a member of the Class if you meet the description above; however, if you did not exhibit symptoms consistent with norovirus, you only receive compensation under the Settlement if you are a member of the “Care Giver Class”.

8. I AM STILL NOT SURE IF I AM INCLUDED.

If you are still unsure whether you are part of the Class and/or Settlement, help is available for free by calling the Claims Administrator at (866) 432-5534 or visiting the case website at www.npricpoint.com.

THE SETTLEMENT BENEFITS – WHAT DO YOU GET?

9. WHAT DOES THE SETTLEMENT PROVIDE?

The proposed Settlement creates a settlement fund that provides for \$2.0 million to pay the claims of eligible Class Members (including any associated claims of the provincial health insurers). Eligible Class Members who suffered physical symptoms consistent with norovirus will receive payments of up to \$2,500. Additionally, travelers who provided care to a Class Member who suffered physical symptoms consistent with norovirus are eligible to receive \$250. The Settlement also provides an opportunity for eligible Class Members to request arbitration in more serious cases which resulted in medical treatment and potential loss of income.

10. WHAT CAN I GET FROM THE SETTLEMENT?

A more detailed breakdown of the benefits and eligibility criteria as well as additional details about the Settlement are contained in the Settlement Agreement and Compensation Grid which are available at www.nptricepoint.com.

HOW TO GET A PAYMENT – SUBMIT A CLAIM FORM

11. HOW CAN I GET A PAYMENT?

To request compensation for sustaining physical symptoms consistent with norovirus or for caring for a Class Member who sustained physical symptoms consistent with norovirus, you must complete and submit a Claim Form. You can submit a Claim Form by mail, fax or by visiting www.nptricepoint.com. The attached Claim Form and Claim Form Instructions describe what documentation you must provide to prove your claim and receive payment. Please read the instructions carefully, fill out the Claim Form, and submit it online, mail or fax it postmarked no later than **April 18, 2011** to the address on the form. Frequently asked questions and other important deadlines affecting your legal and other rights are provided in detail at, www.nptricepoint.com.

12. WHEN WOULD I GET MY PAYMENT?

The Ontario Superior Court of Justice approved this Notice and will have a hearing to decide whether to approve the Settlement before benefits can be issued. The Approval Hearing shall be heard by this Court on Wednesday, February 23, 2011 at 10:00 a.m. at Osgoode Hall, 130 Queen Street West, Toronto, Ontario.

You may attend the hearing and you may speak, but it is not required.

13. WHAT RIGHTS AM I GIVING UP TO RECEIVE PAYMENT OR STAY IN THE CLASS?

Unless you request exclusion from the Class, you will be part of the Class, and that means that you can't sue, continue to sue, or be part of any other lawsuit against MyTravel about the legal issues in this case. It also means that all of the Court's orders will apply to you and legally bind you. If you sign the claim form, you will agree to the

“Release of Claims” attached to the claim form, which describes exactly the legal claims that you are giving up if you get settlement benefits.

HOW TO REQUEST EXCLUSION FROM THE CLASS

14. HOW DO I REMOVE MYSELF FROM THE CLASS AND SETTLEMENT?

If you don't want to be legally bound by the certification order and proposed settlement, you must request exclusion, or opt out, by **February 18, 2011**. If you do not opt out by this deadline, you won't be able to start a lawsuit against MyTravel on your own about the legal claims in this case. If you would like to opt out, please fill out the attached Opt Out Form and return it the address provided.

Class Members wishing to request exclusion, or opt out of the Class, must do so by **February 18, 2011**.

Class Members who have commenced individual proceedings against the Defendant which are ongoing at the time of publication of the Short Form Notice and who do not request exclusion or opt-out of the Class by the opt-out deadline, will be bound by the terms of the Settlement Agreement and are deemed to have consented to a dismissal of their action without costs, whether or not the Class Member submits a claim or receives compensation.

Any individuals who do not opt-out are barred from commencing an action against the Defendant at a later time concerning the legal claims in this case. If you do not opt out, you may still object to the Settlement.

15. IF I EXCLUDE MYSELF, WHAT RIGHTS DO I RETAIN?

If you opt out, you will not receive any benefits from the Settlement, however you will retain your right start a lawsuit against MyTravel on your own about the legal claims in this case.

THE LAWYERS REPRESENTING YOU

16. DO I HAVE A LAWYER IN THIS CASE?

Class Members are represented by the law firm of Rochon Genova LLP. The firm is located at 121 Richmond St. W, Suite 900, Toronto, Ontario M5H 2K1. If you have specific questions for Class Counsel, they can be reached by telephone at (416) 363-1867 or toll free at (866) 881-2292. Information about the firm is also available at www.rochongenova.com.

You will not be charged for the services of Class Counsel. However, if you wish to be represented by your own counsel, you may hire a lawyer at your own expense.

17. HOW WILL THE LAWYERS BE PAID?

The Ontario Superior Court of Justice will hold a hearing to approve the Settlement and to consider a request by Class Counsel for payment of their fees and disbursements of

\$600,000 (inclusive of applicable taxes). Notwithstanding the foregoing, if there is a balance in the Settlement Fund following the payment of Eligible Claims, Administration Costs and claims of the Public Health Insurers, Class Counsel may apply to the Ontario Court for additional counsel fees. MyTravel reserves the right to object to the payment of any additional counsel fees.

OBJECTING TO THE SETTLEMENT

18. HOW DO I CONVEY TO THE COURT THAT I DO NOT LIKE THE SETTLEMENT?

If you're a Class Member, you can object to the Settlement if you don't like any part of it. You can give reasons why you think the Court should not approve it. The Court will consider your views.

To object, you must send a letter saying that you object to the Lavier v. MyTravel Settlement. Be sure to include your name, address, telephone number, your signature, and the reasons you object to the Settlement. Mail the objection to Class Counsel and Defense Counsel at the addresses listed below, postmarked no later than **February 18, 2011**.

Class Counsel

Rochon Genova LLP
121 Richmond St. W
Suite 900
Toronto, Ontario M5H 2K1

Defense Counsel

Ogilvy Renault LLP
45 O'Connor Street
Suite 1500
Ottawa, Ontario K1P 1A4

19. WHAT IS THE DIFFERENCE BETWEEN OBJECTING AND REQUESTING EXCLUSION?

When you file an Objection, you are simply telling the Court that you don't like something about the Settlement. You must be a Class Member to object to the Settlement, and you can only object if you stay in the Class.

Requesting exclusion or opting-out is stating to the Court that you don't want to be part of the certified Class. If you exclude yourself, you have no basis to object because the case no longer affects you.

COURT HEARING

20. WHEN AND WHERE WILL THE COURT DECIDE TO APPROVE THE SETTLEMENT?

The Ontario Superior Court of Justice will hold a hearing to decide whether to approve the Settlement on **February 23, 2011** at 10:00 a.m. at Osgoode Hall, 130 Queen Street West, Toronto Ontario.

At this hearing the Court will consider whether the Settlement is fair, reasonable, and in the best interest of Class Members. If there are objections, the Court will consider them. The judge will listen to people who have asked to speak at the hearing and decide whether to approve Class Counsel's request for fees. After the hearing, the Court will decide whether to approve the Settlement. We do not know how long these decisions will take.

21. AM I REQUIRED TO ATTEND THE HEARING?

You are not required to attend the hearing. Class Counsel will answer any questions the judge may have, but you are welcome to come at your own expense.

If you send an objection, you don't have to come to Court to talk about it. As long as you mailed your written objection on time, the Court will consider it. You may also pay your own lawyer to attend, but it's not necessary.

22. MAY I ATTEND THE HEARING AND SPEAK?

You may ask the Court for permission to speak at the hearing. To do so, you should submit a "Notice of Intention to Appear" to the Court stating your desire to speak, and including your name, address, telephone number, and signature.

IF I DO NOTHING

23. WHAT HAPPENS IF I TAKE NO FURTHER ACTION AT ALL?

If you do nothing, you will not receive compensation from this Settlement. In addition, unless you exclude yourself, you won't be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against MyTravel about the legal issues in this case.

GETTING MORE INFORMATION

24. IS THERE MORE INFORMATION AVAILABLE?

For more information, visit www.nptricepoint.com or contact the Administrator at the address listed below.

NPT RicePoint Class Action Services
P.O. Box 3355
London, Ontario N6A 4K3
Toll Free: (866) 432-5534
Email: mytravel@nptricepoint.com
www.nptricepoint.com