

## SCHEDULE I – NOTICE TO ONTARIO CLASS MEMBERS

**Were you, or a family member, implanted with a Zimmer Durom® Hip Implant in Canada?**

**This notice may affect your rights. Please read carefully.**

Class action lawsuits were initiated in Canada regarding allegations that the Zimmer Durom hip implant, or “Durom Cup,” was defective, and that it failed prematurely. Specifically, a class action was certified by the British Columbia court on September 2, 2011, in *Jones v. Zimmer GMBH et al*, and by the Ontario court on September 24, 2014, in *McSherry v. Zimmer GMBH et al*, and was authorized by the Quebec court on [date] in *Wainberg v. Zimmer GMBH*.

These actions have now been settled, and the courts have approved the settlement. For a copy of the settlement agreement, please contact Class Counsel or the Claims Administrator at the address below.

### **Who is Eligible to Participate in the Settlement?**

The settlement applies to all persons who were implanted with the Durom Cup in Canada who have not opted out of the *Jones*, *McSherry*, or *Wainberg* actions and/or who have affirmatively opted into the *Jones* action, and their estates and family members.

### **The Terms of Settlement**

The settlement provides compensation to class members who timely submit all forms and documentation required under the Settlement Agreement, less deductions for legal fees. The settlement also provides for payment to public health insurers. Please refer to the settlement agreement for specific terms and conditions.

### **To Make a Claim**

To be entitled to a payment pursuant to this Settlement Agreement, class members must file a claim with the Claims Administrator on or before [deadline].

### **For More Information or to Obtain a Claim Form**

Please contact Class Counsel or the Claims Administrator at the address below:

Class Counsel in *Jones* and *McSherry* Actions:

**Klein Lawyers LLP**  
Suite 400  
1385 West 8<sup>th</sup> Avenue  
Vancouver, BC V6H 3V9  
Telephone: 604-874-7171  
Facsimile: 604-874-7180  
[www.kleinlyons.com](http://www.kleinlyons.com)

Class Counsel in *Wainberg* Action:

**Merchant Law Group LLP**  
2401 Saskatchewan Drive  
Regina, Saskatchewan  
S4P 4H8  
Phone: 306-359-7777  
Fax: 306-522-3299  
[www.merchantlawgroup.com](http://www.merchantlawgroup.com)

Claims Administrator:

**Crawford Class Action Services**

180 King Street S.

Waterloo, ON N2J 1P8

Telephone: 519-578-4053