

the Affidavit of Vincent Genova which is attached as **Schedule “1”** to this Order and the written submissions of counsel for the Plaintiffs and Defendants;

AND ON BEING ADVISED that the Defendants consent to this Order and that JND Legal Administration consents to being appointed the Settlement Administrator for purposes of the Settlement Agreement:

1. **THIS COURT ORDERS AND DECLARES** that, except to the extent they are modified by this Order, the capitalized terms not defined in this Order have the definitions set out in the Settlement Agreement.

2. **THIS COURT ORDERS** that this Ontario Action is hereby certified as a class proceeding pursuant to section 5 of the *Class Proceedings Act, 1992* (“CPA”), solely for settlement purposes and subject to the terms of the Settlement Agreement and the conditions set out therein, on behalf of the following class of persons (the “National Settlement Class”):

All Persons resident in Canada other than Excluded Persons and other than Persons whose Subject Vehicles are identified based on reasonably available information from GM as having been first retail sold in Québec who, at any time on or before the Recall Announcement Date of the Recall(s) applicable to their Subject Vehicle(s), owned, purchased, and/or leased a Subject Vehicle in any of the provinces/territories in Canada.

3. **THIS COURT ORDERS** that the Delta Ignition Switch Subclass be defined as:

Settlement Class Members who own(ed), purchased, and/or lease(d) a Subject Vehicle covered by the Delta Ignition Switch Recall.

4. **THIS COURT ORDERS** that the Key Rotation Subclass be defined as:

Settlement Class Members who own(ed), purchased, and/or lease(d) a Subject Vehicle covered by the Key Rotation Recall.

5. **THIS COURT ORDERS** that the Camaro Knee-Key Subclass be defined as:

Settlement Class Members who own(ed), purchased, and/or lease(d) a Subject Vehicle covered by the Camaro Knee-Key Recall.

6. **THIS COURT ORDERS** that the Electric Power Steering Subclass be defined as:

Settlement Class Members who own(ed), purchased, and/or lease(d) a Subject Vehicle covered by the Electric Power Steering Recall.

7. **THIS COURT ORDERS** that Stacey Green be appointed as the Settlement Class Representative for the National Settlement Class.

8. **THIS COURT ORDERS** that the following common issue is certified, for settlement purposes only, pursuant to the *CPA*:

Did any of the Defendants owe a duty of care to National Settlement Class members and if so, what was the standard of care?

9. **THIS COURT ORDERS** that all alleged class claims for wrongful death, personal injury, claims under the *Family Law Act* (and analogous legislation in other Provinces), and actual physical property damage arising from a motor vehicle accident involving a Subject Vehicle are hereby discontinued.

10. **THIS COURT ORDERS** that the Revised Short-Form Certification Notice, substantially in the form attached as Exhibit “C” to the Affidavit of Jennifer Keough (which is attached as **Schedule “2”** to this Order), and the Revised Long-Form Certification Notice, substantially in the form attached as Exhibit “D” to the Affidavit of Jennifer Keough, are hereby approved.

11. **THIS COURT ORDERS** that the Revised Short-Form Certification Notice and the Revised Long-Form Certification Notice shall be published and disseminated substantially in accordance with the Revised Notice Program, which is attached as Exhibit “B” to the Affidavit of Jennifer Keough.

12. **THIS COURT ORDERS** that the form and manner of notice as set out in the Revised Short-Form Certification Notice, the Revised Long-Form Certification Notice, and the Revised

Notice Program as approved herein constitutes sufficient notice to all persons entitled to notice and satisfies the requirements of notice under sections 17 and 19 of the *CPA*.

13. **THIS COURT ORDERS** that the Settlement Approval Hearing in Ontario will proceed via videoconference on July 30, 2024 at 10:00 a.m.

14. **THIS COURT ORDERS** that the date and time of the Settlement Approval Hearing in Ontario be stated in the Revised Short-Form Certification Notice and the Revised Long-Form Certification Notice, subject to any adjournment by the Court without further notice to the National Settlement Class members other than that which may be posted on the Settlement Website maintained by the Settlement Administrator.

15. **THIS COURT ORDERS** that JND Legal Administration shall be appointed as Settlement Administrator to perform the duties set out in the Settlement Agreement.

16. **THIS COURT ORDERS** that National Settlement Class members may opt out and exclude themselves from this proceeding by contacting JND Legal Administration, in writing, no later than the Opt-Out Deadline, being sixty (60) days after the Certification Notice is first published or disseminated.

17. **THIS COURT ORDERS** that the Opt-Out Deadline be stated in the Revised Short-Form Certification Notice and Revised Long-Form Certification Notice.

18. **THIS COURT ORDERS** that National Settlement Class members may exclude themselves from this proceeding only in accordance with the directions set out in section 10 of the Settlement Agreement, by the Opt-Out Deadline.

19. **THIS COURT ORDERS** that all National Settlement Class members who do not validly opt out of this proceeding by the Opt-Out Deadline shall be bound as of the Effective Date by all

terms of the Settlement Agreement, if it is approved by this Court, and may not opt out of this action in the future.

20. **THIS COURT ORDERS** that National Settlement Class members who wish to file with the Court an objection to the Settlement shall deliver a written statement to JND Legal Administration at the address indicated in the Revised Short-Form Certification Notice or Revised Long-Form Certification Notice no later than the Objection Deadline, being sixty (60) days after a Certification Notice is first published or disseminated in accordance with the Certification Orders.

21. **THIS COURT ORDERS** that any party affected by this Order may apply to the Court for further directions.

22. **THIS COURT ORDERS** that this Order be interpreted consistently with the parallel order made by the Superior Court of Québec on May 6, 2024, which is attached as **Schedule “3”** to this Order, and the terms of this Order are effective immediately.

23. **THIS COURT ORDERS** that if the Settlement Agreement is not approved, is terminated in accordance with its terms or otherwise fails to take effect for any reason, this Order, including certification of the National Settlement Class for settlement purposes and all written elections to opt-out delivered pursuant to this Order, shall be set aside and declared null and void and of no force or effect, without the need for any further order of this Court.



THE HONOURABLE JUSTICE GLUSTEIN