

ARBITRATION PROTOCOL – *Condon et al. v. Her Majesty the King*

1. Within two weeks of the Court's approval of this Arbitration Protocol, the Claims Administrator shall send a copy of this Arbitration Protocol to each Actual Loss Claimant whose claim remains unresolved. Delivery of the Arbitration Protocol will be effected using the same means and address used by the Actual Loss Claimant in his or her last communication with the Claims Administrator.
2. The Claims Administrator shall compile all Actual Loss Claimant stories, as well as their respective supporting documents, and shall deliver them to the Defendant and to the Arbitrator within one week from receipt of the last Actual Loss Claimant story.
3. Within two weeks from receipt of the Actual Loss Claimant stories, the Defendant shall indicate to the Actual Loss Claimant as well as to the Arbitrator and the Administrator whether it intends to provide a response or update any response that it has already provided.

Uncontested Claims

4. If the Defendant does not indicate it will deliver a response to an Actual Loss Claimant's story, the Arbitrator will proceed on the basis that the Defendant does not have additional submissions to provide, and will simply consider the submissions of the Actual Loss Claimant.

Contested Claims

5. If the Defendant indicates it will be delivering a response to an Actual Loss Claimant's story, it shall do so within 60 days of receipt of that Actual Loss Claimant's materials from the Administrator. Such answer shall be delivered to the Administrator who shall provide a copy to the Actual Loss Claimant, as well as the Arbitrator.
6. Within 14 days of receipt of the Defendant's response the Actual Loss Claimant has the right, but not the obligation, to deliver a reply.

7. Subject to the Arbitrator's direction, both the Actual Loss Claimant and the Defendant will deliver their materials in writing.
8. The Arbitrator has the right to determine procedural issues in a manner consistent with the provisions of this arbitration protocol and proportional to the amounts claimed by each Actual Loss Claimant, including giving Actual Loss Claimants an opportunity to cure any perceived deficiencies. If the Arbitrator deems necessary, they may consult with Class Counsel and the Defendant in respect of procedural issues.
9. The Arbitrator will decide if the arbitration shall be held in writing, by telephone, online video conference or other media, or in person.
10. In all cases, the Arbitrator will deliver their decision, in writing, within 60 days of the delivery of all documents, submissions or hearing, whichever is the later.