

NOTICE OF SETTLEMENT OF CLASS PROCEEDING

Re: *Charlotte Perrenoud and Rajesh Bedi v. eHealth Ontario and Her Majesty The Queen In Right of Ontario as represented by the Minister of Health And Long-Term Care (Court File No.: CV-11-439656-00CP) (the "Action")*

This Notice was approved by the Superior Court of Justice. You are receiving this Notice because your rights may be affected by the approved settlement of the Action as described below.

The court has approved the settlement of this action. The settlement is a compromise of disputed claims. The defendants do not admit any wrongdoing or liability.

Summary of Settlement Terms

- On January 28, 2013, the court certified the Action as a Class Proceeding on behalf of the following Class:

Part A Members

All past and current full time regular eHealth Ontario employees, and employees on a contract for a term of more than one year, for whom eHealth Ontario completed a Compensation Details Statement in respect of the 2010-2011 fiscal year;

Part B Class Members

All eHealth Ontario employees¹ who received a performance management rating of '2' or greater, or the equivalent rating of 'Developing' or higher, pursuant to the Performance Incentive Plan Policy (the "Policy") for the fiscal year 2011-2012, and who were actively employed on March 31, 2012;

Part C Class Members

All eHealth Ontario employees² who received a performance management rating of '2' or greater, or the equivalent rating of 'Developing' or higher, pursuant to the Policy for the 2011-2012 fiscal year but who were not actively employed on March 31, 2012 by reason only of the exceptions listed at section 3.7 of the Policy namely, retirement, disability or death.

- On March 28, 2013, the court approved the settlement of this action as follows:

¹ As per the Policy, this means a full time regular eHealth Ontario employee, or employee on a contract for a term of more than one year, who started employment on or before December 31 of the plan year

² See footnote 1

eHealth Ontario will pay:

- *To the Part A Class Members, the performance incentive awards set out in the Compensation Details Statements for the fiscal year 2010-2011.*
 - *To the Part B Class Members, 50% of the Performance Incentive Awards based on: (i) the performance management ratings that were determined by eHealth Ontario for the 2011-2012 fiscal year; (ii) the budget established for such awards; and (iii) eHealth Ontario's good faith calculation of the specific amounts for each employee.*
 - *To the Part C Class Members, 50% of the pro-rated Performance Incentive Awards based on: (i) the performance management ratings that were determined by eHealth Ontario for the fiscal year 2011-2012; (ii) the budget established for such awards; and (iii) eHealth Ontario's good faith calculation of the specific amounts for each employee.*
- The payments described will be subject to the Class Counsel fees of 30% plus HST, and required statutory deductions.

Claim Form

Class Members who qualify for a performance award as set out above but who do not receive a notice from eHealth by April 15, 2013 must submit the attached Claim Form to Class Counsel by April 29, 2013.

Effect of Approved Settlement

The settlement is final and binding on all Class Members who have not opted out. It finally resolves all causes of action set out in the Action, including all claims for the 2010/2011 and 2011/2012 bonus, the merit increase effective April 1, 2011, and punitive damages.

All Class Members who have not opted out of the settlement are deemed to have released the Crown and eHealth Ontario including their predecessors, successors, assigns, agents, past and current employees, directors and officers, past and current Ministers or Members of the Legislative Assembly from all actions, causes of action, suits, debts, duties, accounts, bonds, covenants, contracts claims and demands whatsoever that were asserted in the two actions, or could have been asserted.

How to Submit a Claim Form

To submit a Claim Form, contact Class Counsel by email at: ehealthclassaction@shibleyrighton.com; or, by mail or fax to: "eHealth Class Counsel"; Shibley Righton LLP, 250 University Ave., Suite 700, Toronto, ON, M5H 3E5; fax no. (416) 214-5200.

You may also visit the Class Counsel's website at: www.shibleyrighton.com/Class_Action.