

COMPENSATION GRID – ABRIDGED VERSION

LEVEL AND INJURY DESCRIPTION	QUALIFYING CRITERIA AND REQUIRED DOCUMENTATION				COMPENSATION		
<p>PHYSICAL HARM (includes psychological harm if any)</p>	Declaration attesting to consumption of Recalled Product	Supporting contemporaneous medical documentation of physical illness showing illness was caused by or consistent with physical symptoms of Listeriosis	Supporting documentation showing that claimant is a member of a high risk group	If the claimant was the purchaser of the consumed Recalled Product, proof of purchase or retained packaging or proof of returned product OR Declaration attesting to purchase if any of these documents are not available.	Payment(s)	Special damages (including loss of income and cost of past and future care), supported by sworn statement and supporting documentation, including medical documentation.	OR ALTERNATIVELY: Arbitration is available at the request of the claimant
<p>Level 1 – Class Members who consumed Recalled Product and sustained physical symptoms consistent with Listeriosis lasting for 24 to less than 48 hours subsequent to the ingestion of Recalled Product.</p>	Yes + Declaration attesting physical illness consistent with Listeriosis.	No	No	Yes	<p>\$750.00 per Class Member (no payments for FLA claims), to a maximum cap of \$7.5 million for all claims in Physical Level 1.</p> <p>If more than 10,000 claimants fall into this category, the \$7.5 million will be evenly divided between all claimants.</p>	No	No
<p>Level 2 – Class Members who consumed Recalled Product and sustained physical symptoms consistent with Listeriosis lasting for 48 hours to less than 1 week subsequent to the ingestion of Recalled Product.</p>	Yes	Yes	No	Yes	<p>\$3,000.00 per Class Member (no payments for FLA claims) + special damages supported by sworn statement and appropriate documentation, including medical documentation + subrogated provincial insurer payments</p>	Yes + Subrogated provincial insurer payments.	No
<p>Level 3 – Class Members who consumed Recalled Product and sustained physical symptoms consistent with Listeriosis lasting for 1 week to less than 2 weeks subsequent to the ingestion of Recalled Product.</p>	Yes	Yes	No	Yes	<p>\$5,500.00 per Class Member (no payments for FLA claims) + \$750.00 per day of hospitalization + special damages supported by sworn statement and appropriate documentation, including medical documentation + subrogated provincial insurer payments</p>	Yes + Subrogated provincial insurer payments.	No
<p>Level 4 – Class Members who consumed Recalled Product and sustained physical symptoms consistent with Listeriosis lasting for 2 weeks to 1 month subsequent to the ingestion of Recalled Product.</p>	Yes	Yes	No	Yes	<p>\$8,000.00 per Class Member (no payments for FLA claims) + \$750.00 per day of hospitalization + special damages supported by sworn statement and supporting documentation, including medical documentation + subrogated provincial insurer payments OR, ALTERNATIVELY Arbitration is available for claimants falling into Level 4 Physical Harm at the request of the claimant.</p>	Yes + Subrogated provincial insurer payments.	Yes
<p>Level 5 – Class Members who consumed Recalled Product and sustained physical symptoms consistent with Listeriosis accompanied by secondary infection including, but not limited to meningitis, pneumonia, septicaemia, etc., but without ongoing and/or permanent physical symptoms.</p>	Yes	Yes	No	Yes	<p>\$35,000.00 per Class Member (including FLA claims made in relation to the same Class Member to be allocated as follows: \$1,000 for each FLA claimant up to a maximum of \$5,000, or a pro rata reduction if there are more than 5 FLA claimants) + \$750.00 per day of hospitalization + special damages supported by sworn statement and supporting documentation, including medical documentation + subrogated provincial insurer payments OR, ALTERNATIVELY Arbitration is available for claimants falling into Level 5 Physical Harm at the request of the claimant.</p>	Yes + Subrogated provincial insurer payments.	Yes
<p>Level 6 – Class Members who consumed Recalled Product and sustained physical symptoms consistent with Listeriosis with or without additional complications, with ongoing and/or permanent physical symptoms.</p>	Yes	Yes	No	Yes	<p>\$75,000.00 per Class Member (including FLA claims made in relation to the same Class Member to be allocated as follows: \$2,000 for each FLA claimant up to a maximum of \$10,000, or a pro rata reduction if there are more than 5 FLA claimants) + \$750.00 per day of hospitalization + special damages (including loss of income and past and future care costs) supported by sworn statement and supporting documentation, including medical documentation + subrogated provincial insurer payments OR, ALTERNATIVELY Arbitration is available for claimants falling into Level 6 Physical Harm at the request of the claimant.</p>	Yes + Subrogated provincial insurer payments.	Yes

	Declaration attesting to consumption of Recalled Product	Supporting contemporaneous medical documentation of physical illness showing illness was caused by or consistent with physical symptoms of Listeriosis	Supporting documentation showing that claimant is a member of a high risk group	If the claimant was the purchaser of the consumed Recalled Product, proof of purchase or retained packaging or proof of returned product OR Declaration attesting to purchase if any of these documents are not available.	Payment(s)	Special damages (including loss of income and cost of past and future care), supported by sworn statement and supporting documentation, including medical documentation.	OR ALTERNATIVELY: Arbitration is available at the request of the claimant
PHYSICAL HARM - continued (includes psychological harm if any)							
Level 7 – Class Members who consumed Recalled Product and suffered physical symptoms consistent with Listeriosis accompanied by secondary complications involving the central nervous system (including, but not limited to, meningoencephalitis or cerebritis, rhombencephalitis, brain abscess, septic shock) and/or focal infections (including, but not limited to, oculoglandular syndrome, lymphadenitis, pneumonia, empyema, myocarditis, endocarditis, septic arthritis, osteomyelitis, prosthetic joint infections, arteritis, prosthetic graft infections, spinal and brain abscess and cholecystitis, acute hepatitis, and peritonitis among others) resulting in serious and permanent impairment of physical and/or mental function.	Yes	Yes	No	Yes	\$125,000.00 + \$10,000 to each FLA claimant(s) claiming in relation to the same Class Member. + \$750.00 per day of hospitalization.	Yes + Subrogated provincial insurer payments.	Yes
Level 8 – Class Members who consumed Recalled Product and sustained physical symptoms consistent with Listeriosis resulting in <u>death</u> .	Yes. Declaration may also be on information and belief if direct knowledge is not possible.	Yes. Plus proof of death and Plus confirming evidence indicating that death was caused by or consistent with physical symptoms of Listeriosis	No	Yes	\$120,000.00 for the estate of the Class Member. + \$35,000.00 to FLA claimant, if spouse of deceased. + \$30,000.00 to each FLA claimant(s), if children of the deceased. + \$20,000 to each FLA claimant(s), if parents of the deceased. + \$5,000.00 to each FLA claimant(s), if siblings or grandchildren of the deceased. + Funeral expenses up to \$13,500.00.	No; but for funeral expenses. + Subrogated provincial insurer payments.	Yes
LEVEL AND INJURY DESCRIPTION PSYCHOLOGICAL HARM ONLY.	QUALIFYING CRITERIA AND REQUIRED DOUCMENTATION				COMPENSATION		
Level 9 – Class Members who consumed Recalled Product and sustained psychological injuries or trauma for up to 60 days, with an onset after August 17, 2008, with no accompanying bodily injury.	Yes	Yes	No	Yes	\$2,000.00 per month of symptoms up to a maximum of \$4,000.00	Yes + Subrogated provincial insurer payments.	No
Level 10 – Class Members who consumed Recalled Product and sustained psychological injuries or trauma for up to 60 days, with an onset after August 17, 2008, with no accompanying bodily injury, if the class member falls within a group that is particularly at risk for contracting Listeriosis. Health Canada has identified at risk individuals as including pregnant women and their unborn/newborn children, the elderly (65 plus) and people with weakened immune systems.	Yes	Yes	Yes	Yes	\$3,000.00 per month of symptoms to a total of \$6,000.00	Yes + Subrogated provincial insurer payments.	No
Level 11 – Class Members who consumed Recalled Product and sustained psychological injuries or trauma for more than 60 days, with an onset after August 17, 2008, with no accompanying bodily injury.	Yes	Yes	No	Yes	\$13,500.00	Yes + Subrogated provincial insurer payments.	Yes
Level 12 – Class Members who consumed Recalled Product and sustained psychological injuries or trauma more than 60 days, with an onset after August 17, 2008, with no accompanying bodily injury, if the class member falls within a group that is particularly at risk for contracting Listeriosis. Health Canada has identified at risk individuals as including pregnant women and their unborn/newborn children, the elderly (65 plus) and people with weakened immune systems.	Yes	Yes	Yes	Yes	\$17,500.00	Yes + Subrogated provincial insurer payments.	Yes