

**Schedule "A"**

INJURY LEVEL	QUALIFYING CRITERIA AND REQUIRED DOCUMENTATION	COMPENSATION
<p><b><u>PHYSICAL HARM, INCLUDING PSYCHOLOGICAL HARM, IF ANY</u></b></p> <p><b><u>Level 1</u></b></p> <p>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>	<ol style="list-style-type: none"> <li>1. Declaration attesting to consumption of Recalled Product and physical illness consistent with Listeriosis; and</li> <li>2. If the claimant was the purchaser of the consumed Recalled Product, proof of purchase or retained packaging or proof of returned product <b>OR</b> declaration attesting to purchase if any of these documents are not available.</li> </ol>	<p><b>\$750.00</b> per Class Member (including FLA claims made in relation to the same Class Member), 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>
<p><b><u>Level 2</u></b></p> <p>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>	<ol style="list-style-type: none"> <li>1. Declaration attesting to consumption of Recalled Product; and</li> <li>2. Supporting contemporaneous medical documentation of physical illness (with or without psychological harm) showing illness was caused by or consistent with physical symptoms of Listeriosis; and</li> <li>3. If the claimant was the purchaser of the consumed Recalled Product, proof of purchase or retained packaging or proof of returned product <b>OR</b> declaration attesting to purchase if any of these documents are not available.</li> </ol>	<p><b>\$3,000.00</b> per Class Member (including FLA claims made in relation to the same Class Member)</p> <p>+ special damages supported by sworn statement and appropriate documentation, including medical documentation</p> <p>+ subrogated provincial insurer payments</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.

1. Declaration attesting to consumption of Recalled Product; and
2. Supporting contemporaneous medical documentation of physical illness (with or without psychological harm) showing illness was caused by or consistent with physical symptoms of Listeriosis; and
3. 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.

**\$5,500.00** per Class Member (including FLA claims made in relation to the same Class Member)

+ **\$750.00** per day of **hospitalization**

+ special damages supported by sworn statement and appropriate documentation, including medical documentation

+ subrogated provincial insurer payments

**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.

1. Declaration attesting to consumption of Recalled Product; and
2. Supporting contemporaneous medical documentation of physical illness (with or without psychological harm) showing illness was caused by or consistent with physical symptoms of Listeriosis; and
3. 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.

**\$8,000.00** per Class Member (including FLA claims made in relation to the same Class Member)

+ **\$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.

**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.

1. Declaration attesting to consumption of Recalled Product; and
2. Supporting contemporaneous medical documentation of physical illness (with or without psychological harm) showing illness was caused by or consistent with physical symptoms of Listeriosis; and
3. 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.

**\$35,000.00 per Class Member** (including FLA claims made in relation to the same Class Member)

+ **\$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.

**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.

1. Declaration attesting to consumption of Recalled Product; and
2. Supporting contemporaneous medical documentation of physical illness (with or without psychological harm) showing illness was caused by or consistent with physical symptoms of Listeriosis; and
3. 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.

**\$75,000.00 per Class Member** (including FLA claims made in relation to the same Class Member)

+ **\$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.

**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 ocuglandular 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.

1. Declaration attesting to consumption of Recalled Product; and
2. Supporting contemporaneous medical documentation of physical illness (with or without psychological harm) showing illness was caused by or consistent with physical symptoms of Listeriosis; and
3. 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.

**\$125,000.00**

+ **\$10,000** to each FLA claimant(s) claiming in relation to the same Class Member

+ **\$750.00** per day of **hospitalization**

+ special damages (including loss of income and cost of past and future care) supported by sworn statement and supporting documentation, including medical documentation

+ subrogated provincial insurer payments

**OR, ALTERNATIVELY**

Arbitration is available for claimants falling into Level 7 Physical Harm at the request of the claimant.

**Level 8**

Class Members who consumed Recalled Product and sustained physical symptoms consistent with Listeriosis resulting in death.

1. Declaration (on information and belief if direct knowledge is not possible) attesting to consumption of Recalled Product; and
2. Proof of death; and
3. Supporting contemporaneous medical documentation of physical illness (with or without psychological harm) and confirming evidence indicating that death was caused by or consistent with physical symptoms of Listeriosis; and
4. 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.

**\$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  
 + subrogated provincial insurer payments

**OR, ALTERNATIVELY**

Arbitration is available for claimants falling into Level 8 Physical Harm at the request of the estate representative of the claimant.

<p><b><u>PSYCHOLOGICAL HARM WITHOUT ACCOMPANYING BODILY INJURY</u></b></p> <p><b><u>Level 9</u></b></p> <p>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.</p>	<ol style="list-style-type: none"> <li>1. Declaration attesting to consumption of Recalled Product; and</li> <li>2. Supporting contemporaneous medical documentation showing psychological injury or trauma relating to the recall and consumption of Recalled Product; and</li> <li>3. If the claimant was the purchaser of the consumed Recalled Product, proof of purchase or retained packaging or proof of returned product <b>OR</b> declaration attesting to purchase if any of these documents are not available.</li> </ol>	<p><b>\$2,000.00</b> per month of symptoms up to a maximum of <b>\$4,000.00</b></p> <p>+ special damages supported by sworn statement and appropriate documentation, including medical documentation</p> <p>+ subrogated provincial insurer payments</p>
<p><b><u>Level 10</u></b></p> <p>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.</p>	<ol style="list-style-type: none"> <li>1. Declaration attesting to consumption of Recalled Product; and</li> <li>2. Supporting contemporaneous medical documentation showing psychological injury or trauma relating to the recall and consumption of Recalled Product; and</li> <li>3. Supporting documentation to show that claimant is a member of a high risk group; and</li> <li>4. If the claimant was the purchaser of the consumed Recalled Product, proof of purchase or retained packaging or proof of returned product <b>OR</b> declaration attesting to purchase if any of these documents are not available.</li> </ol>	<p><b>\$3,000.00</b> per month of symptoms to a total of <b>\$6,000.00</b></p> <p>+ special damages supported by sworn statement and appropriate documentation, including medical documentation</p> <p>+ subrogated provincial insurer payments</p>

**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.

1. Declaration attesting to consumption of Recalled Product; and
2. Supporting contemporaneous medical documentation of psychological injury or trauma relating to the recall and consumption of Recalled Product; and
3. 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.

**\$13,500.00**

+ special damages supported by sworn statement and appropriate documentation, including medical documentation  
+ subrogated provincial insurer payments

OR, ALTERNATIVELY

Arbitration is available for claimants falling into Level 11 psychological harm at the request of the claimant.

**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.

1. Declaration attesting to consumption of Recalled Product; and
2. Supporting contemporaneous medical documentation of psychological injury or trauma relating to the recall and consumption of Recalled Product; and
3. Supporting documentation showing that claimant is a member of a high risk group; and
4. 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.

**\$17,500.00**

+ special damages supported by sworn statement and appropriate documentation, including medical documentation  
+ subrogated provincial insurer payments

OR, ALTERNATIVELY

Arbitration is available for claimants falling into Level 12 psychological harm at the request of the claimant.