

**NOTICE OF DISCONTINUANCE OF MEDTRONIC CLASS ACTION
SURGICAL STAPLER PROCEDURES**

Please Read This Notice Carefully. It May Affect Your Legal Rights.

By Order of the Ontario Superior Court of Justice, all persons resident in Canada who have had surgery involving a Medtronic surgical stapler product are advised that:

In October 2021, a proposed class proceeding was commenced in Ontario (*Underhill et. al. v. Medtronic Canada et al.*, Court File No. CV-21-00003704-00CP) alleging that Medtronic's surgical stapler products were negligently designed, manufactured, and distributed. The plaintiffs allege that this resulted in various injuries.

In October 2022, a second proposed class proceeding was commenced in British Columbia (*Kostiuk v. Medtronic Canada ULC et. al.*, Court File No. VLC-S-S-228632) raising the same or similar allegations in respect of Medtronic's surgical stapler products.

Medtronic denies these allegations.

Although Medtronic denies liability, the parties and their counsel have reached an agreement in principle to resolve all known claims. Medtronic will continue to consider the settlement of individual claims of which it is given notice by Siskinds and Siskinds, Desmeules until October 7, 2026 (**"the Claim Notice Period"**).

On this basis, Siskinds filed motion materials with the Ontario Superior Court of Justice to obtain approval of the discontinuance of the proposed Ontario class proceeding. The Court approved the discontinuance, and it will be filed and take effect on December 15, 2026.

The Plaintiff in the proposed class proceeding against Medtronic in British Columbia relating to Medtronic's surgical stapler products similarly filed a notice of discontinuance on July 20, 2026.

The discontinuances relate to the Medtronic surgical stapler class actions only. They do not relate to any claims against other manufacturers of surgical stapler products.

YOU SHOULD TAKE NOTICE THAT THE limitation period for bringing an individual claim, if there is any time left within it, will recommence when the notice of discontinuance is filed with the Ontario Superior Court of Justice on December 15, 2026. On the expiry of the limitation period a right to sue may be extinguished.

TAKE NOTICE THAT because any remaining limitation period for bringing a claim will recommence with the filing of the notice of discontinuance, if you wish to pursue a court claim against Medtronic in relation to a surgical stapler product, you may be required to take steps immediately to preserve your legal rights.

Siskinds and Siskinds, Desmeules will answer questions about the discontinuance, the recommencement of the running of the limitation period, or about pursuing a claim against Medtronic during the settlement program period at no charge. Please contact Siskinds or Siskinds, Desmeules at:

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It is recommended that you obtain legal advice from Siskinds, Siskinds, Desmeules or a lawyer of your choice. For updated information with respect to the discontinuance or about making a claim, please consult www.siskinds.com/surgical-staplers

If you do not know what brand of surgical stapler was used in your medical procedure, you can retrieve your medical records, which will typically note the brand of surgical stapler used. If you need help retrieving your records, Siskinds or Siskinds, Desmeules can assist.

THIS NOTICE HAS BEEN AUTHORIZED BY THE ONTARIO SUPERIOR COURT OF JUSTICE