

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE) THURSDAY, the 24th day
)
JUSTICE PERELL) of JANUARY, 2019

BETWEEN:

JOSEPH S. MANCINELLI, CARMEN PRINCIPATO, DOUGLAS SERROUL, LUIGI CARROZZI, MANUEL BASTOS, and JACK OLIVEIRA in their capacity as THE TRUSTEES OF THE LABOURERS' PENSION FUND OF CENTRAL AND EASTERN CANADA, and CHRISTOPHER STAINES

Plaintiffs

- and -



ROYAL BANK OF CANADA, RBC CAPITAL MARKETS LLC, BANK OF AMERICA CORPORATION, BANK OF AMERICA, N.A., BANK OF AMERICA CANADA, BANK OF AMERICA NATIONAL ASSOCIATION, BANK OF MONTREAL, BMO FINANCIAL CORP., BMO HARRIS BANK N.A., BMO CAPITAL MARKETS LIMITED, THE BANK OF TOKYO MITSUBISHI UFJ LTD., BANK OF TOKYO-MITSUBISHI UFJ (CANADA), BARCLAYS BANK PLC, BARCLAYS CAPITAL INC., BARCLAYS CAPITAL CANADA INC., BNP PARIBAS GROUP, BNP PARIBAS NORTH AMERICA INC., BNP PARIBAS (CANADA), BNP PARIBAS, CITIGROUP, INC., CITIBANK, N.A., CITIBANK CANADA, CITIGROUP GLOBAL MARKETS CANADA INC., CREDIT SUISSE GROUP AG, CREDIT SUISSE SECURITIES (USA) LLC, CREDIT SUISSE AG, CREDIT SUISSE SECURITIES (CANADA), INC., DEUTSCHE BANK AG, THE GOLDMAN SACHS GROUP, INC., GOLDMAN, SACHS & CO., GOLDMAN SACHS CANADA INC., HSBC HOLDINGS PLC, HSBC BANK PLC, HSBC NORTH AMERICA HOLDINGS INC., HSBC BANK USA, N.A., HSBC BANK CANADA, JPMORGAN CHASE & CO., J.P. MORGAN BANK CANADA, J.P. MORGAN CANADA, JPMORGAN CHASE BANK NATIONAL ASSOCIATION, MORGAN STANLEY, MORGAN STANLEY CANADA LIMITED, ROYAL BANK OF SCOTLAND GROUP PLC, RBS SECURITIES, INC., ROYAL BANK OF SCOTLAND N.V., ROYAL BANK OF SCOTLAND PLC, SOCIÉTÉ GÉNÉRALE S.A., SOCIÉTÉ GÉNÉRALE (CANADA), SOCIÉTÉ GÉNÉRALE, STANDARD CHARTERED PLC, TORONTO DOMINION BANK, TD BANK, N.A., TD GROUP HOLDINGS, LLC, TD BANK USA, N.A., TD SECURITIES LIMITED, UBS AG, UBS SECURITIES LLC, and UBS BANK (CANADA)

Defendants

Proceeding under the *Class Proceedings Act, 1992*

ORDER

WHEREAS this Court approved a settlement between the Plaintiffs and Morgan Stanley (the "**Morgan Stanley Settlement**") by Order dated January 24, 2019;

AND WHEREAS this Court approved a plan of allocation (the "**Plan of Allocation**") in this matter by Order dated July 4, 2018, attached hereto as **Schedule "A"**.

ON READING the materials filed and on hearing submission of Class Counsel;

1. **THIS COURT ORDERS** that Class Counsel is authorized to deduct USD\$230,000 from the Morgan Stanley Settlement fund which is to be maintained in trust by Class Counsel for future fees and disbursements and to fund the ongoing litigation, including any adverse costs awards made in this case (the "**Holdback**").
2. **THIS COURT ORDERS** that the Plan of Allocation applies to the Morgan Stanley Settlement fund (less the Holdback) and the Morgan Stanley Settlement fund (less the Holdback) shall be distributed in accordance with the Plan of Allocation.



The Honourable Justice Perell

ENTERED AT / INSCRIPT À TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO.:

JAN 25 2019

PER / PAR:



JOSEPH S. MANCINELLI, et al
Plaintiffs

and

ROYAL BANK OF CANADA, et al
Defendants

Court File No.: CV-15-536174CP

**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at Toronto

ORDER

KOSKIE MINSKY LLP
20 Queen Street West,
Suite 900, Box 52
Toronto, ON M5H 3r3
Tel: 416.977.8353
Fax: 416.977.3316

Kirk M. Baert LSUC#: 30942O

SISKINDS LLP
680 Waterloo Street
P.O. Box 2520
London, ON N6A 3V8
Tel: 519.672.2121
Fax: 519.672.6065

Charles Wright LSUC#: 36599Q
Daniel Bach LSUC # 52087E

SOTOS LLP
180 Dundas Street West,
Suite 1200
Toronto, ON M5G 1Z8
Tel: 416.977.5333
Fax: 416.977.0717

David Sterns LSUC#: 36274J
Louis Sokolov LSUC#: 34483L

**CAMP FIORANTE MATTHEWS
MOGERMAN LLP**
#400- 856 Homer Street
Vancouver, BC, V6B 2W5
Tel: 604.331.9530
Fax: 604.689.7554

Reidar Mogerman LSBC#: 502278
David G.A. Jones LSBC#: 500759

Lawyers For The Plaintiffs