

Court File No. 45196CP

ONTARIO
SUPERIOR COURT OF JUSTICE

THE HONOURABLE
JUSTICE HORVAT

)
)

Friday, THE 20th DAY
OF June, 2025

WEEN:

HUGUETTE GENIER

Plaintiff

- and -

CCI CAPITAL CANADA LIMITED, CCI CAPITAL CORP., CCI INVESTMENTS INC.,
CENTURION DEVELOPMENTS LTD., RAVI CHAUDHARY, ROBERT JAMES
EMERSON, ENVIRONMENT REGENERATION SYSTEMS INC., IPO CAPITAL CORP.,
INTEGRATED BUSINESS CONCEPTS INC., RICARDO MOLINARI, NIDDRIE &
ASSOCIATES LTD. (c.o.b. as "WILSON INSURANCE AND FINANCIAL SERVICES"),
NORTHERN FINANCIAL CORPORATION, NORTHERN SECURITIES INC., PHOENIX
FINANCIAL GROUP INC., PHOENIX FINANCIAL GROUP (2000) INC., VINCE
VILLANTI, JAMES WILSON, 1009863 ONTARIO INC. (c.o.b. as "WILSON INSURANCE
AND FINANCIAL SERVICES") and 1545182 ONTARIO INC. (c.o.b. as "WILSON
INSURANCE BROKERS")

Defendants

Proceeding under the *Class Proceedings Act, 1992*, S.O. 1992, c. 6

ORDER
Distribution Approval and Discontinuance

THIS MOTION made by the Plaintiff for an Order approving the Distribution Protocol
and discontinuing the action on a without costs basis as against certain Defendants, was heard this
day at 80 Dundas Street, London, Ontario.

ON READING the materials filed, and on reading the submissions of counsel for the
Plaintiff, the Defendants taking no position;

1. **THIS COURT ORDERS** that, for the purposes of this Order, the definitions set out in the
Distribution Protocol apply to and are incorporated into this Order.



2. **THIS COURT ORDERS** that the Distribution Protocol is hereby approved substantially in the form attached hereto as Schedule “A”.
3. **THIS COURT ORDERS** that the Net Settlement Proceeds shall be distributed by Class Counsel in accordance with the Distribution Protocol.
4. **THIS COURT ORDERS** that the notice of claims process and claim form (together, the “Claim Package”) is approved substantially in the form attached hereto as Schedule “B”.
5. **THIS COURT ORDERS** that the publication notice of claims process (“Publication Notice”) is approved substantially in the form attached hereto as Schedule “C”.
6. **THIS COURT ORDERS** that Class Counsel shall:
 - (a) mail the Claim Package directly to the last known address of potential Class Members indicated in Class Counsel’s records;
 - (b) cause a copy of the Publication Notice to be published in The Cochrane Times, subject to publisher approval; and
 - (a) post a copy of this Order and Claim Package on Class Counsel’s website:
<https://www.siskinds.com/class-action/phoenix-financial/>.
7. **THIS COURT ORDERS** that no proceeding, cause of action, claim or demand may be brought against Class Counsel concerning the implementation of the Distribution Protocol without leave from this Court.
8. **THIS COURT ORDERS** that this action is discontinued, effective 60 days from the date of this Order.

9. **THIS COURT ORDERS** that to the extent that any limitation period applicable to class members was suspended by the filing of this proposed action, such limitation period shall remain suspended until 60 days after the date of this Order.
10. **THIS COURT ORDERS** that notice of the discontinuance shall be provided in the form set out in Schedules B and C and in the manner set out in paragraph 6 of this Order;
11. **THIS COURT ORDERS** that incurred disbursements of \$22,681.07, plus applicable taxes in the amount of \$1,903.20 for a total of \$24,584.27, are approved and shall be payable to Class Counsel from the settlement funds;
12. **THIS COURT ORDERS** that expected disbursements of up to \$2,056.84, plus applicable taxes in the amount of \$179.25 for a total of \$2,236.09, are approved and shall be payable to Class Counsel from the settlement funds, but only the extent that such disbursements are actually incurred;
13. **THIS COURT ORDERS** that there will be no costs of this motion or this action.

David C
Sparkman

Digitally signed by David C
Sparkman
Date: 2025.06.26 15:07:42
-04'00'

~~The Honourable Justice Horvat~~ Registrar

DISTRIBUTION PROTOCOL

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DEFINITIONS

1. For the purposes of this Distribution Protocol:

- (a) ***Claim Deadline*** means the final date on which a Class Member may submit a Claim Form, which is two (2) months from the date that the Claim Form is mailed to Class Members.
- (b) ***Claim Form*** means the form that a Settlement Class Member must complete and submit before the Claim Deadline in order to be considered for settlement benefits under this Distribution Protocol.
- (c) ***Class Counsel*** means Siskinds LLP.
- (d) ***Class and Class Member*** means any person or entity who deposited, invested, or contributed funds in, through, with or to CCI Canada Ltd., CCI Capital Corp., CCI Investments Inc., and/or Phoenix Financial Group Inc. and who were clients of, received advice from, were solicited by, or received representations from Jim Wilson, 1009863 Ontario Inc. (c.o.b. as Wilson Insurance and Financial Services) or 545182 Ontario Inc., excluding the Defendants and their officers, directors, shareholders, employees, agents, partners and spouses and persons or entities who opted out of this action.
- (e) ***Court*** means the Ontario Superior Court of Justice.
- (f) ***Decision Notice*** has the meaning set out in paragraph 14.
- (g) ***Defendants*** means CCI Capital Canada Limited, CCI Capital Corp., CCI Investments Inc., Centurion Developments Ltd., Ravi Chaudhary, Robert James

Emerson, Environment Regeneration Systems Inc., IPO Capital Corp., Integrated Business Concepts Inc., Ricardo Molinari, Niddrie & Associates Ltd. (c.o.b. as “Wilson Insurance and Financial Services”), Phoenix Financial Group Inc., Phoenix Financial Group (2000) Inc., Vince Villanti, James Wilson, 1009863 Ontario Inc. (c.o.b. as “Wilson Insurance And Financial Services”), and 1545182 Ontario Inc. (c.o.b. as “Wilson Insurance Brokers”).

- (h) ***Eligible Investments*** means the outstanding principal deposited, invested, or contributed in, through, with or to CCI Canada Ltd., CCI Capital Corp., CCI Investments Inc., and/or Phoenix Financial Group Inc.
- (i) ***Net Settlement Proceeds*** means the settlement amounts achieved through the Settlement Agreements and the funds recovered from the bank account of Phoenix Financial Group Inc., plus interest, less any amounts approved by the Court in respect of Class Counsel fees or disbursements.
- (j) ***Proof of Investment*** means documents that verify the value of a Class Member’s Eligible Investments, including certificates of deposit, confirmation letters, cheques, receipts, statements, or other comparable proof that is acceptable to Class Counsel.
- (k) ***Settlements*** means the settlement reached with Niddrie & Associate Ltd. (c.o.b. as Wilson Insurance and Financial Services) in the amount of \$50,000 and the settlement reached with IPO Capital Corp. in the amount of \$115,000.

CALCULATION OF SETTLEMENT BENEFITS

2. For each Class Member who files a Claim Form by the Claims Deadline, Class Counsel will determine the value of the Class Member's Eligible Investments based on information contained in Class Counsel's records and/or Proof of Investment provided by the Class Member.
3. Net Settlement Proceeds will be distributed *pro rata* (proportionately) based on the value of the Class Member's Eligible Investments as against the value of all Class Members' Eligible Investments.
4. Notwithstanding any other provision in this Distribution Protocol, if the distribution would result in an unjust distribution, Class Counsel will seek further directions from the Court with respect to the distribution of the Net Settlement Proceeds.

THE CLAIM PROCESS

The Claims Filing Process

5. The Claim Form will be in a form as approved by the Court.
6. To the extent possible, Class Counsel will pre-populate Claim Forms with information about each Class Member's Eligible Investments based on information provided by Class Members to Class Counsel during the litigation. If the Class Member agrees with Class Counsel's assessment of their Eligible Investments, no further proof will be required from the Class Member.
7. If the Class Member disagrees with the information pre-populated in their Claim Form or Class Counsel does not already have Proof of Investment for a Class Member, the Class Member will be required to provide Proof of Investment to substantiate their claim.

8. All Claim Forms must be submitted by regular mail, courier mail or email to the address listed in the Claim Form.
9. Subject to further Court order and paragraph 10, all Claim Forms must be received or postmarked on or before the Claim Deadline and Claim Forms submitted after the Claim Deadline shall be rejected.

Adjustments to Claims Process and Extension of the Claims Filing Deadline

10. At the discretion of Class Counsel, the Claims Filing Deadline may be extended, and the claims process adjusted. Class Counsel shall only extend the Claims Filing Deadline and/or adjust the claims process if, in their opinion, doing so will not adversely affect the fair and efficient administration of the Net Settlement Proceeds and it is in the best interests of the Class Members to do so.

Deficiencies

11. If, during claims processing, Class Counsel finds that deficiencies exist in a Class Member's claim that preclude the proper processing of such claim, Class Counsel shall notify the Class Member of the deficiencies. The Class Member shall be provided thirty (30) days from the mailing or emailing of the deficiency notice to correct the deficiency. In its sole discretion, Class Counsel can extend the deadline for correcting deficiencies.
12. If the deficiencies are not corrected within the allotted time, Class Counsel shall reject the claim. The Class Member will have no further opportunity to correct the deficiency.

The Claims Review Process

13. Class Counsel shall process all claims in accordance with the terms of this Distribution Protocol and orders of the Court.

14. Class Counsel shall send Class Members by email or regular mail, a notice (the “**Decision Notice**”) which advises the Class Member:
- (a) whether the claim has been approved or rejected;
 - (b) if approved, the value of the Class Member’s Eligible Investments; and
 - (c) if rejected, in whole or part, the grounds for rejecting all or part of the claim.
15. The Decision Notice shall also advise class members of their right to object to Class Counsel’s decision.

Class Member Objections

16. Class Members will have the ability to object to their allocation by submitting written submissions to Class Counsel. The deadline to submit an objection will be 30 days after the date the Decision Notice is mailed. All objections will be submitted to the Court and Class Counsel will bring a motion to resolve any objections.

Payment of Claims

17. If there are no objections, or after all objections are resolved, Class Counsel shall make arrangements to pay approved claims as expeditiously as possible.
18. Payment will be made by cheque.
19. All settlement benefits will be calculated in Canadian currency and settlement benefits will be paid in Canadian currency.

Residual Funds

20. To the extent that there are residual settlement funds from uncashed cheques or otherwise, the remaining funds will be distributed as follows:

- (a) if the remaining funds are less than \$2000, the money will be distributed *cy pres* to Pro Bono Canada; or
- (b) if the remaining funds are \$2000 or more, the remaining funds (less any administrative costs associated with the mailing of cheques) will be redistributed to eligible Class Members *pro rata* based on the value of their Eligible Investments. Any Class Member who failed to cash their original cheque will be excluded from this distribution.

TO: CCI/PHOENIX FINANCIAL INVESTORS

NOTICE AND CLAIM FORM

IMPORTANT

If you wish to make a claim for compensation, you must sign and return the enclosed Claim Form by ●

<Name>

<Address>

<City>, <Province> <Postal>

Dear X,

You are receiving this notice because you have been identified as a potential Class Member in the Phoenix Financial Class Action and/or you contacted Class Counsel to receive updates about this class action.

A Class Member is any person or entity who deposited, invested, or contributed funds in, through, with or to CCI Canada Ltd., CCI Capital Corp., CCI Investments Inc., and/or Phoenix Financial Group Inc. and who were clients of, received advice from, were solicited by, or received representations from Jim Wilson, 1009863 Ontario Inc. (c.o.b. as Wilson Insurance and Financial Services) or 545182 Ontario Inc., excluding the Defendants and their officers, directors, shareholders, employees, agents, partners and spouses and persons or entities who opted out of this action.

Please read this notice carefully. Your rights may be affected.

BACKGROUND

A class action styled *Genier v CCI Capital Canada Limited, et al.* (Court File No. 45196CP) was commenced in Ontario against CCI Capital Canada Limited, CCI Capital Corp., CCI Investments Inc., Centurion Developments Ltd., Ravi Chaudhary, Robert James Emerson, Environment Regeneration Systems Inc., IPO Capital Corp., Integrated Business Concepts Inc., Ricardo Molinari, Niddrie & Associates Ltd. (c.o.b. as “Wilson Insurance And Financial Services”), Phoenix Financial Group Inc., Phoenix Financial Group (2000) Inc., Vince Villanti, James Wilson, 1009863 Ontario Inc. (c.o.b. as “Wilson Insurance And Financial Services”), and 1545182 Ontario Inc. (c.o.b. as “Wilson Insurance Brokers”) (collectively, the “**Defendants**”).

The class action alleged that the Defendants were involved in a conspiracy to improperly solicit deposits from members of the public.

Previous settlements were reached with Niddrie and Associates Inc. for \$50,000 and IPO Capital Corp. for \$115,000. Both settlements were approved by the Ontario Superior Court of Justice (“**Court**”).

Claim ID

DISCONTINUANCE

The Court granted an order discontinuing the action as against the remaining defendants, CCI Capital Canada Limited, CCI Capital Corp., CCI Investments Inc., Centurion Developments Ltd., Ravi Chaudhary, Robert James Emerson, Environment Regeneration Systems Inc., Integrated Business Concepts Inc., Ricardo Molinari, Phoenix Financial Group Inc., Phoenix Financial Group (2000) Inc., Vince Villanti, James Wilson, 1009863 Ontario Inc. (c.o.b. as “Wilson Insurance and Financial Services”) and 1545182 Ontario Inc. (c.o.b. as “Wilson Insurance Brokers”), (collectively the “**Non-Settled Defendants**”). The discontinuance will be effective on [date].

Please Note: the limitation period for bringing a claim (if there is any time left within it) against the Non-Settled Defendants will recommence on [date]. On the expiry of the limitation period, your right to sue may be extinguished. As a result, if you wish to bring your own action against one of the Non-Settled Defendants, you should seek legal advice from local counsel.

DISTRIBUTION OF SETTLEMENT FUNDS

The aggregate settlement amounts, plus the amount recovered from Phoenix Financial Group Inc, plus interest and less court-approved deductions, are available for distribution (the “Net Settlement Proceeds”). The Net Settlement Proceeds equals approximately \$128,700. The Court has approved a protocol for distributing the Net Settlement Proceeds (the “**Distribution Protocol**”). In accordance with the Distribution Protocol, the Net Settlement Proceeds will be distributed to eligible Settlement Class Members *pro rata* (or proportionately) based on the value of their Eligible Investments. A copy of the Distribution Protocol is available at www.●.ca.

Eligible Investments means the outstanding principle on funds deposited, invested, or contributed in, through, with or to CCI Canada Ltd., CCI Capital Corp., CCI Investments Inc., and/or Phoenix Financial Group Inc.

Only Eligible Investments are eligible for compensation. No other investments are eligible for compensation, even if those investments were made in, with, through, or with a different Defendant.

HOW TO APPLY FOR SETTLEMENT FUNDS

To be eligible for settlement funds, you must complete and return the below claim form by ●.

To the extent possible, the claim form has been pre-populated with information about your claim. We made our best efforts to complete the claim form with the information available to us. That information may be incomplete. If any of the information is incorrect or incomplete, please provide us with accurate information.

CLAIM FORM

In order to make a claim for compensation, you must complete the form below and return a signed copy of this Claim Form (and any required documents) to the following address, postmarked no later than ●. Should you have any questions or concerns, please contact our office at: [phone] or [email].

**Phoenix Financial Class Action Settlement
c/o Siskinds LLP
275 Dundas Street, Unit 1
London, ON N6B 3L1**

SECTION A – CLASS MEMBER INFORMATION

Please provide us with your up-to-date contact information:

Full Name: _____
Full Address: _____
Telephone: _____
Email: _____
Occupation: _____

If Class Member is a Business:

Incorporation or
Business ID Number: _____
Place of Issuance: _____
General Nature of
Business: _____

If the Class Member is not completing this form, the following must also be provided:

Full Name: _____
Full Address: _____
Telephone: _____
Email: _____
Relationship to
Class Member: _____
Occupation: _____

SECTION B - ELIGIBLE INVESTMENTS

Based on a review of the documentation previously provided to our office, your Eligible Investments are as follows:

| Entity Funds Deposited with | Outstanding Principal |
|-----------------------------|-----------------------|
| | |
| | |
| Total: | |

Please read carefully and select one of the following options:

- (a) If you agree with the assessment of your Eligible Investments as outline above, no further proof is required. Skip to section C below.
- (b) If you disagree with our assessment of your Eligible Investments, as outlined above, complete the following chart and provide documents that verify the value of your Eligible Investments. Such documents might include certificates of deposit, confirmation letters, cheques, receipts, statements, or other comparable proof that is acceptable to Class Counsel.
- (c) If no Eligible Purchases are provided above, please complete the following chart and provide documents that verify the value of your Eligible Investments. Such documents might include certificates of deposit, confirmation letters, cheques, receipts, statements, or other comparable proof that is acceptable to Class Counsel.

[illegible]

PLEASE NOTE: The value of your Eligible Investments is NOT the amount that you will receive. Rather, as described above, your payment will be determined based on the value of you Eligible Investments as compared to the total value of all Settlement Class Members' Eligible Investments.

For example: assume that your Eligible Investments are \$40,000 and the total Eligible Investments of all Settlement Class Members is \$1,000,000. In those circumstances, your Eligible Investments would be 4% of the total value of all Settlement Class Members' Eligible Investments. You would therefore be entitled to 4% of the Net Settlement Proceeds.

SECTION C - DECLARATIONS

By signing this Claim Form:

- I confirm that the information contained in this Claim Form is correct;
- I verify that I wish to make a claim in the settlements; and
- I understand that I am authorizing Siskinds LLP to contact me for more information.

Executed this _____ day of _____ in _____.
(Month/Year) (City/Province/Country)

Signature

Name (Please Print)

NOTICE OF CLAIMS PROCESS – PHOENIX FINANCIAL CLASS ACTION

The Ontario Superior Court of Justice has approved a protocol for the distribution of settlement funds in the above noted class action. The class action has been discontinued against all remaining defendants.

This notice affects anyone who deposited, invested, or contributed funds in, through, with or to CCI Canada Ltd., CCI Capital Corp., CCI Investments Inc., and/or Phoenix Financial Group Inc. and who were clients of, received advice from, were solicited by, or received representations from Jim Wilson, 1009863 Ontario Inc. (c.o.b. as Wilson Insurance and Financial Services) or 545182 Ontario Inc., excluding the Defendants and their officers, directors, shareholders, employees, agents, partners and spouses and persons or entities who opted out of this action (**“Class Members”**).

You may be entitled to compensation if you are a Class Member with outstanding principal invested in CCI Canada Ltd., CCI Capital Corp., CCI Investments Inc., and/or Phoenix Financial Group Inc.

Please visit <https://www.siskinds.com/class-action/phoenix-financial/> for more information. The deadline to file a claim for compensation is ●.

GENIER v CCI CAPITAL CANADA LIMITED

Court File No: 45196CP

ONTARIO
SUPERIOR COURT OF JUSTICE

Proceeding commenced at London

Proceeding under the *Class Proceedings Act, 1992*

ORDER
Distribution Approval and Discontinuance

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