

**Credit Cards Class Actions
Citigroup, BofA and Capital One Opt-Out Form**

For the purposes of this Opt-Out Form, the following definitions apply (additional definitions are found on the bottom of this form):

“**BofA Settlement**” means the settlement agreement made as between the Plaintiffs in the Credit Card Class Actions, the Defendant Bank of America Corporation and others, a copy of which is available at www.CreditCardClassAction.com.

“**Capital One Settlement**” means the settlement agreement made as between the Plaintiffs in the Credit Card Class Actions, the Defendant Capital One Financial Corporation and others, a copy of which is available at www.CreditCardClassAction.com.

“**Citigroup Settlement**” means the settlement agreement made as between the Plaintiffs in the Credit Card Class Actions, the Defendant Citigroup Inc. and others, a copy of which is available at www.CreditCardClassAction.com.

“**Credit Card Class Actions**” means the following five actions:

- *Watson v. Bank of America Corporation et al.*, SCBC No. VLC-S-S-112003 (Vancouver);
- *Bancroft-Snell et al. v. Visa Canada Corporation et al.*, OSCJ No. CV-11-426591CP (Toronto);
- *9085-4886 Quebec Inc. v. Visa Canada Corporation et al.*, Superior Court of Quebec No. 500-06-000549-101 (Montreal);
- *Macaronies Hair Club and Laser Center Inc. operating as Fuze Salon v. BofA Canada Bank et al.*, Alberta QB File No. 1203-18531 (Edmonton); and
- *Hello Baby Equipment Inc. v. BofA Canada Bank and others*, SK QB No. 133 of 2013 (Regina).

BECAUSE OF DIFFERENCES IN THE ORDERS MADE BY THE COURTS, THE CONSEQUENCE OF **NOT OPTING OUT** VARIES DEPENDING ON WHETHER YOU ARE A QUEBEC SETTLEMENT CLASS MEMBER OR NOT. GENERALLY SPEAKING, A QUEBEC SETTLEMENT CLASS MEMBER IS A SETTLEMENT CLASS MEMBER WHO RESIDES IN QUEBEC. QUEBEC SETTLEMENT CLASS MEMBERS WHO DO NOT OPT OUT NOW WILL PARTICIPATE IN THE BOFA SETTLEMENT, THE CAPITAL ONE SETTLEMENT AND THE CITIGROUP SETTLEMENT BUT WILL HAVE ANOTHER OPPORTUNITY TO OPT OUT OF THE CONTINUING LITIGATION AGAINST THE OTHER DEFENDANTS IN THE FUTURE.

Consequences of Opting Out

By completing and returning this Opt-Out Form as set out below, you are choosing:

- 1) **not** to take part in any of the BofA Settlement, Capital One Settlement and Citigroup Settlement;
- 2) **not** to participate in the ongoing prosecution of the Credit Card Class Actions against the other defendants; AND
- 3) **not** to participate in **any** future settlements reached in the Credit Card Class Actions.

If you complete this Opt-Out Form, you will not be bound by any of the BofA Settlement, Capital One Settlement and Citigroup Settlement, or the releases in them, but you will also not be entitled to share in any of the proceeds that may become available to merchants as part of the BofA Settlement, the Capital One Settlement and the Citigroup Settlement. You will also not be entitled to participate in the continued prosecution of the Credit Card Class Actions or future settlements.

Consequences of Not Opting Out

Quebec Settlement Class Members

If you do **not** complete and return this Opt-Out Form, you will be bound by the BofA Settlement, the Capital One Settlement and the Citigroup Settlement, and the releases in them, and will be entitled to share in any of the proceeds that may become available to merchants as part of those settlements. You will have an opportunity to opt out of the ongoing litigation against the other defendants if and when such litigation is authorized as a class action against some or all of those remaining defendants.

ADDITIONAL DEFINITIONS

This Opt-Out Form provides a summary of definitions used in the BofA Settlement, the Capital One Settlement and the Citigroup Settlement. Please refer to www.CreditCardClassAction.com for a complete set of definitions.

Alberta MasterCard Settlement Class or **Alberta Visa Settlement Class** means all Alberta resident persons who, during the Class Period, accepted payments for the supply of goods or services by way of MasterCard Credit Cards or Visa Credit Cards, respectively, pursuant to the terms of Merchant Agreements, except the Excluded Persons.

BC MasterCard Settlement Class or **BC Visa Settlement Class** means all British Columbia resident persons who, during the Class Period, accepted payments for the supply of goods or services by way of MasterCard Credit Cards or Visa Credit Cards, respectively, pursuant to the terms of Merchant Agreements, except the Excluded Persons.

Class Period means March 23, 2001 to the latest date of the last judgment or order made with respect to claims against any of the Defendants in the Canadian Proceedings.

Excluded Person(s) means each Defendant, the directors and officers of each Defendant, the subsidiaries or affiliates of each Defendant, the entities in which each Defendant or any of that Defendant's subsidiaries or affiliates have a controlling interest and the legal representatives, heirs, successors and assigns of each of the foregoing.

Merchant Agreements mean agreements entered into between Acquirers and Merchants that impose Merchant Discount Fees, including Interchange Fees, on Merchants whenever they accept payment from customers by way of Visa or MasterCard Credit Cards.

Merchant Discount Fees mean fees paid by Merchants arising from the use of Visa or MasterCard Credit Cards in Canada.

Ontario MasterCard Settlement Class or **Ontario Visa Settlement Class** means all Canadian resident persons who, during the Class Period, accepted payments for the supply of goods or services by way of MasterCard Credit Cards or Visa Credit Cards, respectively, pursuant to the terms of Merchant Agreements, except the BC Settlement Class, the Alberta Settlement Class, the Saskatchewan Settlement Class, the Quebec Settlement Class and Excluded Persons.

Quebec MasterCard Settlement Class or **Quebec Visa Settlement Class** means all Quebec resident persons who, during the Class Period, accepted payments for the supply of goods or services by way of MasterCard Credit Cards or Visa Credit Cards, respectively, pursuant to the terms of Merchant Agreements, except the Excluded Persons and any legal persons established for a private interest, partnership or association, which at any time between December 17, 2009 and December 17, 2010 had under their direction or control more than 50 persons bound by it by contract of employment.

Saskatchewan MasterCard Settlement Class or **Saskatchewan Visa Settlement Class** means all Saskatchewan resident persons who, during the Class Period, accepted payments for the supply of goods or services by way of MasterCard Credit Cards or Visa Credit Cards, respectively, pursuant to the terms of Merchant Agreements, except the Excluded Persons.

Settlement Class means all Persons included in the BC MasterCard Settlement Class, the BC Visa Settlement Class, the Alberta MasterCard Settlement Class, the Alberta Visa Settlement Class, the Saskatchewan MasterCard Settlement Class, the Saskatchewan Visa Settlement Class, the Ontario MasterCard Settlement Class, the Ontario Visa Settlement Class, the Quebec MasterCard Settlement Class and the Quebec Visa Settlement Class.