COURT APPROVED PROTOCOL

TEMPORARY MEASURES RELATED TO THE COVID-19 PANDEMIC

MAY, 2021

This protocol provides direction for the ongoing administration of the 1986-1990 Hepatitis C Settlement, including the Transfused HCV Plan, the Hemophiliac HCV Plan and the HCV Late Claims Benefits Plan (the "**Plans**") during the COVID-19 pandemic. This protocol may be updated as circumstances require.

PREAMBLE

In recognition of the significant disruptions and stresses in the personal and professional lives of claimants and their families that the COVID-19 pandemic has occasioned,

And in recognition of the significant impacts the COVID-19 pandemic has had on the operations of hospitals and doctors and the resultant impairment in claimants accessing medical records and other required documentation and/or consultations,

And in taking into consideration the significant impacts the COVID-19 pandemic has had on operations of Canadian Blood Services and its ability to conduct Traceback Procedures as required by the Court-Approved Protocol – Traceback Procedure Criteria December, 2017,

CLAIMANT REQUESTS FOR EXTENSION OF TIME PERIODS UNDER THE PLANS OR COURT-APPROVED PROTOCOLS

1. Claimants who have been adversely affected by the COVID-19 pandemic may request an extension of time under this protocol.

2. Upon the request of a claimant, the Administrator may extend any period of time fixed by the Plans or any other Court-Approved Protocol applying to a claimant which would have expired on or after March 16, 2020 as long as the Administrator is satisfied that the claimant's circumstances relating to the COVID-19 pandemic justify an extension.

3. In order to determine whether the claimant's circumstances relating to the COVID-19 pandemic justify an extension of time, a specific justification must be provided in writing for the Administrator's consideration. The Administrator will consider granting a claimant's request for an extension of time if the request states specifically how the claimant has been affected by the COVID-19 pandemic.

4. Requests that refer to the COVID-19 pandemic without explaining how the pandemic affected the claimant's ability to meet a deadline will be refused. Requests that make vague references to difficulties related to the COVID-19 pandemic will be refused if they do not specify the difficulties the claimant encountered.

5. Claimants may request an extension of time under this protocol until such time as the Courts declare, on application of the Joint Committee, that this protocol is no longer in force.

TEMPORARY SUSPENSION OF SECTION 5(b) COURT-APPROVED PROTOCOL - TRACEBACK PROCEDURE CRITERIA TIME PERIOD

6. Section 5(b) of the Court-Approved Protocol -Traceback Procedure Criteria providing a six-month time period for the Administrator to approve or reject a Claim or Late Claim notwithstanding that a Class Period Search and/or a Pre-Class Period Search may not have been completed, shall be temporarily suspended and the suspension shall be retroactive to March 16, 2020.

7. The temporary suspension of the time period in which the Administrator is required to act under section 5(b) of the Court-Approved Protocol - Traceback Procedure Criteria provided for by this protocol shall remain in effect until such time as the Courts declare, on application of the Joint Committee, that this protocol is no longer in force.

8. For greater certainty, the period of time in which the Administrator is required to act under section 5(b) of the Court-Approved Protocol - Traceback Procedure Criteria that is temporarily suspended under this protocol resumes running on the date on which the temporary suspension ends and the period of suspension shall not be counted.

ULTIMATE DEADLINE

9. Notwithstanding any other provision of this protocol, the ultimate deadline of March 31, 2025 to file a Request for Late Claim with the Administrator set out in section 3.08(4) of the HCV Late Claims Benefit Plan is not extended nor suspended and shall remain in full force and effect absent further order of the Courts.

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