

SUPERIOR COURT

CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTREAL

No: 500-06-000126-017

DATE: MARCH, 4, 2010

IN THE PRESENCE OF: THE HONOURABLE MICHÈLE MONAST, J.S.C.

**ASSOCIATION DE PROTECTION DES ÉPARGNANTS
ET INVESTISSEURS DU QUÉBEC (A.P.E.I.Q)**
Plaintiff

-and-

ANDRÉ DUSSAULT
Designated Person

v.

CORPORATION NORTEL NETWORKS
Defendant

-and-

BELLEAU LAPOINTE, S.E.N.C.R.L.

-and-

UNTERBERG, LABELLE, LEBEAU, S.E.N.C.
Class Counsel

-and-

ONTARIO PUBLIC SERVICE EMPLOYEES' UNION PENSION PLAN TRUST FUND
Intervenor

-and-

FONDS D'AIDE AUX RECOURS COLLECTIFS
Mise en cause

JUDGMENT

[1] **SEEING** that an Order was delivered by the United States District Court for the Southern District of New York (J. Berman), in the Nortel Networks Corporation Securities litigation case on February 11, 2010;

[2] **SEEING** that this Order has authorized and directed the Claims Administrator, Garden City Group to distribute forthwith the funds remaining in the Settlement Fund, which currently total approximately \$35 Million US, to all Authorized Claimants pursuant to the Plan of Allocation previously approved by all the courts asserting jurisdiction herein, save and except for an amount of \$2,840,341.06 US which shall not be distributed immediately;

[3] **SEEING** that this distribution is scheduled to take place on March 5, 2010;

[4] **SEEING** that this Court has requested that the Québec Silent Claimants be given an opportunity to contest the rejection of their claim by the Claims Administrator;

[5] **SEEING** that the value of these claims, if accepted, would not exceed approximately \$ 5,000 and that it would not be in the best interest of the members of the Quebec class and all other classes to postpone the distribution;

[6] **SEEING** that Lead Plaintiff's Counsel has represented that there would be funds available in the Settlement Fund to cover any payment that might be allowed by this Court to the Québec Silent Claimants up to approximately \$ 5,000.00 or that may be awarded to the Quebec Class Counsels for fees and expenses up to \$ 55,000.00 if such amounts are approved by this Court;

[7] **SEEING** that the Quebec Class Counsel is requesting that this Court take notice of the Order delivered by the United States District Court for the Southern District of New York (J. Berman) on February 11, 2010, and order all parties to comply with it in order to authorize the distribution of the remaining funds in the Settlement fund in accordance with its terms and conditions;

[8] **FOR THESE REASONS, THIS COURT:**

[9] **TAKES NOTICE** of the Order delivered by the United States District Court for the Southern District of New York (J. Berman) on February 11, 2010, and **ORDERS** all parties to comply with it;

[10] **ORDERS** that an amount of \$ 60,000.00 remain available in the Settlement fund after the distribution to cover the payment of Quebec Silent Claimants' claims and Quebec Class Counsel's fees and expenses if so allowed or awarded by this Court;

[11] **DECLARES** that jurisdiction is retained by the Court to consider any further applications concerning the administration of the Settlement with respect to the Québec Class, including without limitation, any further appropriate applications concerning claims by Québec Class Members asserting that the payment provided in one of the distributions was incorrect, or relating to payments to GCG or Québec Class Counsel or the administration of the Settlement as it relates to this Action and members of the Québec Class.

[12] **THE WHOLE** without costs.



MICHELE MONAST, J.S.C.

Me Maxime Nasr
BELLEAU, LAPOINTE
Attorneys for the Plaintiff and the Designated person

Me Pascale Dionne-Bourassa
FRASER MILNER CASGRAIN
Attorneys for the Intervenor

Date of hearing: March 4, 2010