

NOTICE

**To: All Registered Account Holders of
BMO Trust Company, BMO Nesbitt Burns Inc. and
BMO InvestorLine Inc.**

PLEASE READ THIS NOTICE CAREFULLY AS IT MAY AFFECT YOUR LEGAL RIGHTS

Who this Notice is for: All customers of BMO Nesbitt Burns Inc. (“BMO NB”) and BMO InvestorLine Inc. (“Investorline” and with BMO NB and BMO Trust Company, “BMO”), residing in Canada, who held or hold one or more **registered account** at any time during the following periods in which a foreign exchange conversion was effected .

The Class

- (i) June 14, 2001 and September 6, 2011 for:
 - a. all clients and former clients of InvestorLine; and
 - b. the 14 clients of BMO NB who opted out of the class proceeding entitled *Skopit v. BMO Nesbitt Burns Inc.*, either entirely or with respect to the overlap period with this action; and
- (ii) October 1, 2002 and September 6, 2011 for all other clients of BMO NB.

Registered accounts are:

- A registered retirement savings plan
- A registered retirement investment fund
- A registered education savings plan
- A locked-in retirement account
- A locked-in investment fund
- A locked-in retirement income fund

If you hold or held a registered account with BMO NB or Investorline during this time period, this Notice is for you, and you are part of the Class Action.

PURPOSE OF THIS An action has been certified as a class proceeding by order of the

NOTICE:

Ontario Superior Court of Justice dated January 31, 2012.

The Claim

The claim alleges that BMO breached their contracts with the Class Members, and that BMO acted in breach of the trust and fiduciary duties that they owed to the Class by automatically converting to Canadian dollars any foreign currency that was paid into registered accounts, even though the *Income Tax Act* allowed foreign currency to be held in a registered account after June 14, 2001.

In particular, the claim alleges that BMO made unauthorized foreign currency exchanges, and that they charged undisclosed or inadequately disclosed and unauthorized fees in respect of foreign currency transactions.

The Class Action seeks an order requiring BMO to reimburse the foreign exchange fees it charged to the Class on the purchase and sale of foreign investments held in registered accounts, and in respect of the conversion of foreign currencies that have been paid into the registered accounts.

BMO is contesting the claim.

A copy of the Statement of Claim and the Order certifying this action as a class proceeding can both be reviewed at www.rrspclassaction.com

HOW THIS CLASS ACTION AFFECTS YOU

If you fall within the Class, and you wish to participate in the proceeding, then you do not need to do anything more at this stage. You are automatically included in the Class.

No Cost to You

There is no cost to you to participate in the class action. You will have no responsibility to pay any legal fees. Class Counsel will only be paid in the event that the action succeeds at trial or there is a settlement. Class Counsel have entered into a contingency fee agreement with the representative plaintiff. The agreement provides for a contingency fee of 25% of the amount recovered in the Class Action to be paid to Class Counsel, along with reimbursement of all disbursements and taxes. The court must approve the payment of any legal fees to Class Counsel

You will be Bound by a Judgment or Settlement in the Action

Each Class member who does not opt out of the Class Action will be bound by the terms of any judgment or any settlement approved by the court. Each Class Member may be entitled to share in the amount of any judgment awarded or settlement reached in the Class Action.

HOW TO OPT OUT OF

If you DO NOT WANT TO PARTICIPATE in this proceeding,

THE CLASS ACTION then you must notify class counsel in writing that you wish to opt out of the class action.

If you do not want to participate in the Action If you decide to opt out, you will not be bound by the terms of any judgment or settlement. However, you also will not be eligible for any of the benefits of any settlement or judgment if the action is successful.

Address for Sending Your Notice of Opt Out If you wish to opt out of the Class Action, you must deliver a letter to Class Counsel that includes your full name and address and that states that you do not wish to participate in this Class Action. The letter must be sent on or before September 25, 2012 at 5:00 pm EST, to the following address:

BMO Class Action
Paliare Roland LLP
250 University Ave., Suite 501 Toronto, ON
M5H 3E5

Fax: 416-646-4301

Opt Out Deadline: No Class member will be permitted to opt out after September 25, 2012.

CLASS COUNSEL: Ken Rosenberg, Jeffrey Larry and Lindsay Scott of the law firm of Paliare Roland LLP, are Class Counsel. Class Counsel can be reached at Suite 501, 250 University Ave., Toronto, ON, M5H 2E5 or by telephone, at 416-646-4300.

PUBLICATION OF THIS NOTICE HAS BEEN AUTHORIZED BY THE ONTARIO SUPERIOR COURT OF JUSTICE