

***Robertson v. ProQuest Information and Learning LLC,  
CEDROM-SNi Inc., Toronto Star Newspapers Ltd. and Rogers Publishing Limited***

**CLASS ACTION CLAIM FORM INSTRUCTION SHEET**

**General**

In order to file a claim for compensation under the *Robertson v. ProQuest* settlement, class members are required to file a properly completed claim form, along with any required supporting documentation, with the claims administrator, Mr. William Dovey of Duff & Phelps [formerly Cole & Partners]. All claim forms must be submitted by no later than 5:00 p.m. (Toronto time), on October 15, 2011, via mail or facsimile at

Duff & Phelps  
80 Richmond Street West, Suite 2000  
Toronto, Ontario, M5H 2A4  
Fax: 416-364-2904

The claims administrator will use the publication list (available on the claims administrator's website, [www.duffandphelps.com/freelanceclaims](http://www.duffandphelps.com/freelanceclaims)) to determine whether articles or other literary works are eligible for compensation. **Works in publications not included on the publication list are not eligible for compensation unless you can provide sufficient documentation showing that**

- (1) the works not on the list were published in print in Canada by Toronto Star Newspapers Ltd., Rogers Publishing Limited, Canwest Publishing Inc., their predecessors or their affiliates (including all divisions, subsidiaries, affiliated companies, parent companies, successors, assigns, licensees and sub-licensees) (collectively the "Publishers"); and
- (2) the works were made available through an electronic database (e.g. ProQuest) pursuant to the purported authorization or permission of one of these Publishers.

Further information regarding the claims process can be obtained by contacting the claims administrator by telephone (416-361-2590) or by contacting class counsel, Koskie Minsky LLP, at

Koskie Minsky LLP  
900-20 Queen St. West, Suite 900, Box 52  
Toronto, ON, M5H 3R3  
Re: Robertson v. ProQuest et al. Class Action  
Tel : 1.866.777.6343  
Email : [freelance1classaction@kmlaw.ca](mailto:freelance1classaction@kmlaw.ca)

**Filling out the Claim Form**

**Part 1:**      Your Contact Information: Provide name and up to date address and all requested contact information. The claims administrator may need to contact you in regards to your claim.

**Part 2:** List Your Literary Works: compensation is allocated on the basis of a points system<sup>1</sup> that takes into account the number of works claimed, the publication in which the work first appeared and the length of the work. Accordingly, you should be as thorough as possible in completing this section. It is your obligation to provide all the requested information for each literary work on your Claim Form.

If there is not enough space on the Claim Form to list all of the works for which you are claiming compensation, you may attach additional pages in a fashion consistent with the Claim Form. Please be sure to clearly indicate that you are attaching such a list to the claim form, either on the claim form or in a covering note to the claims administrator.

**Part 3:** Basis of Your Entitlement: If you are the original author of the works claimed, check the first box (“**Author**”).

If your entitlement is based upon an assignment of the copyright in the works, check the second box (“**Assignee**”). In addition, check the appropriate box under assignee to indicate whether or not you are attaching a copy of the written assignment with the claim form.

If you are claiming on behalf of the estate of a deceased author, please check the third box (“**Personal Representative of Deceased Author**”). In addition, check the appropriate box to indicate the documentation you are filing in support of your claim that you are entitled to represent the estate of the deceased author.

If you are filing a claim on behalf of a class member who is unable to file a claim on his or her own behalf, please check the fourth box (“**Author Living But Incapable**”).

If you believe you are eligible to make a claim, but do not fall under any of the categories above (Author, Assignee, Personal Representative of Deceased Author or Author Living But Incapable), you may check the fifth box (“**Other**”). You should explain why you believe you are eligible to make a claim and provide any supporting documentation.

Although members are not required to file further documentation in support of their claim (other than Assignees or Estate Representatives), Class Members may file such supporting documentation. If such supporting documentation is filed, please be sure to check box 5 (“Other”). Supporting documents will not be returned to you so submit copies only.

## **Certification**

Class members are responsible for ensuring that the information provided to the claims administrator is accurate, and must certify that they are entitled to compensation on the basis of the information set out in the Claim Form. A false statement in the Claim Form may disentitle you to any compensation.

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<sup>1</sup> Further details regarding the points allocation system is set out in the claims process, which is available from the document links on the respective websites of class counsel ([www.kmlaw.ca/freelanceclassaction](http://www.kmlaw.ca/freelanceclassaction)) and the claims administrator ([www.duffandphelps.com/freelanceclaims](http://www.duffandphelps.com/freelanceclaims)).