

**NOTICE OF HEARING TO APPROVE SETTLEMENT OF CLASS PROCEEDINGS  
*HEATHER ROBERTSON v. CANWEST PUBLISHING INC.***

**AND NOTICE OF HEARING IN RESPECT OF SETTLEMENT OF CLAIM OF  
HEATHER ROBERTSON, IN HER CAPACITY AS REPRESENTATIVE PLAINTIFF,  
MADE IN CCAA PROCEEDINGS OF CANWEST PUBLISHING INC. ET AL**

**If you are a writer, wherever you reside, please read this Notice carefully as it may affect your rights.**

This Notice is addressed to people who may be Class Members in this Class Proceeding and provides information about a hearing before the Ontario Superior Court of Justice on June 16, 2010, in Toronto, when the Court will be asked to approve a proposed settlement of this Action.

In 2003, the Plaintiff, Heather Robertson, commenced an action against ProQuest Information and Learning LLC, CEDROM-SNI Inc., Toronto Star Newspapers Ltd., Rogers Publishing Limited and Canwest Publishing Inc., as Defendants (collectively, the “Defendants”). The Plaintiff alleged that the Defendants infringed the copyright of authors or assignees of original literary works published in print media in Canada (the “Works”) by disseminating, or authorizing the dissemination of, copies of the Works using electronic databases, contrary to the Canadian *Copyright Act*. The Defendants denied the Plaintiff’s claims. In 2008, the Superior Court of Justice certified this Action as a class proceeding.

In January 2010, Canwest Publishing Inc. and related entities filed for protection from their creditors pursuant to the *Companies' Creditors Arrangement Act* and protection was granted by the Ontario Superior Court of Justice by an initial order made in the CCAA Proceedings on January 8, 2010. The CCAA Proceeding and the Initial Order had the effect of staying the action as against Canwest Publishing Inc. The supervising judge of the CCAA Proceedings made a Claims Procedure Order dated April 12, 2010, pursuant to which Heather Robertson, in her capacity as Representative Plaintiff, filed a claim in the CCAA Proceedings.

The Plaintiff and Canwest Publishing Inc. in the class proceeding (the “Action”), and the Applicants and the Representative Plaintiff/Claimant in the CCAA Proceedings, have reached a settlement of the CCAA Claim and the Action, subject to court approval. The terms of the settlement include the following:

- The claim filed by Heather Robertson, as Representative Plaintiff, in the CCAA Claims Process will be valued at \$7,500,000 for voting and distribution purposes in the CCAA Proceeding;
- Heather Robertson, in her personal capacity and in her capacity as Representative Plaintiff of the Class in the Action will vote in favour of a proposed Plan of Arrangement in the CCAA Proceedings;
- If the Plan of Arrangement is approved by creditors of Canwest Publishing Inc., all unsecured creditors, including the Class, will be entitled to share, on a *pro rata* basis, in a

distribution of shares in a new company (“Newco”) The Representative Plaintiff will share *pro rata* to the extent of the Settlement Amount with other affected creditors of the LP Entities in the distributions to be made by the LP Entities, if any. Details of such distributions, as well as the conditions precedent to Plan implementation (including creditor and court approval), are contained in the proposed Plan, Management Circular and the Eighth Report of the Monitor, copies of which are available on the Monitor's website for the CCAA Proceedings. Any recovery from this distribution will be held in trust by Class Counsel, Koskie Minsky LLP pending the resolution of Class Proceeding, either by way of settlement or final judgment, as against the remaining defendants in the Class Proceeding, and will be subject to distribution at the direction of the Court;

- Members of the Class will provide a release of all claims and a license in respect of all Works, published in Print Media by Canwest Publishing Inc.

Please note that this Settlement does not resolve Heather Robertson, as Representative Plaintiff, or Class members' claims as against the remaining defendants in the Class Proceeding.

The parties will appear before the Ontario Superior Court of Justice at the Court House located at 330 University Avenue, Toronto, Ontario on June 16, 2010 at 11:00 a.m. to ask the Court to approve the proposed settlement. If any Class Member wishes to attend the hearing, make submissions and/or file materials regarding the proposed settlement, such Class Member must file a Notice of Appearance with the Monitor and its counsel as provided for in the Notice Procedure Order of the Ontario Superior Court of Justice made in the CCAA Proceedings on June 8, 2010 attached to this Notice, no later than June 15, 2010 on or before 10:30 a.m.

The claims of Class Members who do not file a Notice of Appearance will be barred and extinguished.

If you are a Class Member and you wish to obtain additional information or to object to the proposed settlement, please contact Class Counsel, Koskie Minsky LLP, at the address below:

Koskie Minsky LLP  
Barristers & Solicitors  
Box 52  
900-20 Queen St. W.  
Toronto, ON M5H 3R3

RE: *Robertson v. ProQuest et al.* CCAA Action

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PLEASE DO NOT CONTACT THE COURT OR THE REGISTRAR OF THE COURT ABOUT THIS CLASS PROCEEDING. THEY ARE NOT ABLE TO ANSWER YOUR QUESTIONS.

Dated: June 8, 2010