

SUPERIOR COURT

(Class action)

CANADA
PROVINCE OF QUEBEC
DISTRICT OF MONTREAL

N°: 500-06-000783-163

DATE: November 16, 2020

PRESIDING : THE HONOURABLE PETER KALICHMAN, S.C.J.

CELSO CATUCCI

and

NICOLE AUBIN, ES QUALITÉ TRUSTEE OF THE AUBIN FAMILY TRUST

Petitioners

vs.

VALEANT PHARMACEUTICALS INTERNATIONAL INC. (NOW BAUSCH HEALTH COMPANIES INC.)

-and-

J. MICHAEL PEARSON, HOWARD B. SCHILLER, ROBERT L. ROSIELLO, ROBERT A. INGRAM, RONALD H. FARMER, THEO MELAS-KYRIAZI, G. MASON MORFIT, DR. LAURENCE PAUL, ROBERT N. POWER, NORMA A. PROVENCIO, LLOYD M. SEGAL, KATHARINE B. STEVENSON, FRED HASSAN, COLLEEN GOGGINS, ANDERS O. LONNER, JEFFREY W. UBBEN

-and-

GOLDMAN, SACHS & CO., GOLDMAN SACHS CANADA INC., DEUTSCHE BANK SECURITIES INC., BARCLAYS CAPITAL INC., HSBC SECURITIES (USA) INC., MITSUBISHI UFJ SECURITIES (USA) INC., DNB MARKETS INC., RBC CAPITAL MARKETS LLC, MORGAN STANLEY & CO. LLC, SUNTRUST ROBINSON HUMPHREY, INC. (NOW TRUIST SECURITIES, INC.), CITIGROUP GLOBAL MARKETS INC., CIBC WORLD MARKETS CORP., SMBC NIKKO SECURITIES AMERICA INC., TD SECURITIES (USA) LLC, J.P. MORGAN SECURITIES LLC, MERRILL LYNCH, PIERCE, FENNER & SMITH INCORPORATED, BMO CAPITAL MARKETS CORP., AIG INSURANCE COMPANY OF CANADA, ALLIANZ GLOBAL RISKS US INSURANCE COMPANY, EVEREST INSURANCE COMPANY OF CANADA, ROYAL & SUN ALLIANCE INSURANCE COMPANY OF CANADA, TEMPLE INSURANCE COMPANY, XL INSURANCE COMPANY SE, CHUBB INSURANCE COMPANY OF CANADA, IRONSHORE CANADA LTD. AND IRONSHORE LTD., LIBERTY MUTUAL INSURANCE COMPANY, LLOYD'S

UNDERWRITERS SYNDICATE NUMBERS: AWH 2232, QBE 1886, CONSORTIUM 9885, AML 1200, MIT 3210, SJC 2003, ANV 1861, NAV 1221, AMA 1200, HCC 4141, AWH 2232, BARBICAN PROFESSIONAL AND FINANCIAL LINES CONSORTIUM 9562, STARR FINANCIAL LINES CONSORTIUM 9885 AND ASP 4711

Respondents

-and-

FONDS D'AIDE AUX ACTIONS COLLECTIVES

Mis en cause

JUDGMENT APPROVING CLASS COUNSEL FEES

[1] **CONSIDERING** that this Court approved the settlement agreement dated August 4, 2020 in the present proceeding between the Petitioners and Valeant Pharmaceuticals International Inc., now known as Bausch Health Companies Inc. ("**Valeant**") for the benefit of all Respondents (the "**Settlement Agreement**").

[2] **CONSIDERING** that the appropriate notices were published in French and in English, in compliance with Article 590 CCP and as ordered by the Court on October 6, 2020 (the "**October 2020 Order**"), and that no opposition was filed in due time;

[3] **CONSIDERING** that no objection to Class Counsel fees or ancillary matters was received by Siskinds LLP by the deadline of November 9, 2020 set out in the October 2020 Order, and therefore no sworn statement was filed in the Court record to that effect;

[4] **CONSIDERING** the materials filed in the Court record, including the sworn statement from Class Counsel confirming compliance with paragraph 20 of the October 2020 Order;

[5] **CONSIDERING** the submissions of counsel for the Petitioners;

[6] **CONSIDERING** that this Court is of the opinion that Class Counsel Fees and funding for Litigation Disbursements are fair, reasonable and in the best interests of Settlement Class Members and comply with Article 593 CCP;

[7] **CONSIDERING** that the parties either consent to or do not oppose this Judgment;


[8] **CONSIDERING** that Class Counsel are required to collect and remit applicable taxes on fees and certain disbursements;

FOR THESE REASONS, THE COURT:

[9] **ORDERS** that, except as otherwise specified in or modified by this Judgment, capitalized terms used herein shall have the meaning ascribed in the Settlement Agreement.

[10] **ORDERS** that the amount payable to Class Counsel out of the Settlement Amount is hereby set at \$29,100,00.00 in respect of Class Counsel Fees, \$4,357,725.00 for tax on Class Counsel Fees, \$2,251,153.50 for Litigation Disbursements and \$266,760.44 for tax on Litigation Disbursements.

THE WHOLE, without legal costs.



THE HONOURABLE JUSTICE PETER KALICHMAN, S.C.J.

For Plaintiffs and the Settlement Class:

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Hearing Date: November 16, 2020