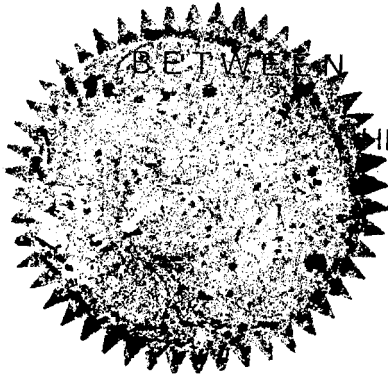


ONTARIO
SUPERIOR COURT OF JUSTICE

THE HONOURABLE
JUSTICE PERELL

)
)
)

WEDNES DAY, THE
15th DAY OF FEBRUARY, 2012



HENRYK KRAJEWSKI , NORMAN BRANDSMA
and JEFFREY DUNBRACK

Plaintiffs

and

TNOW ENTERTAINMENT GROUP, INC.,
TICKETMASTER ENTERTAINMENT, INC.,
TICKETMASTER CANADA LTD. and PREMIUM INVENTORY, INC.

Defendants

Proceeding under the *Class Proceedings Act, 1992*

JMP
DRAFT ORDER
(Pre-Approval of Notice)

THIS MOTION made by the Plaintiffs for an Order (a) setting a date and time for the hearing of the Plaintiffs' motions to partially certify this action for settlement purposes, to approve the parties' settlement, as memorialized in the Settlement Agreement and Release attached as Exhibit "5" to the Affidavit of Luciana P. Brasil, sworn February 3, 2012 (the "Proposed Settlement") and to approve a request for Class Counsel's fees, (b) appointing the Settlement

Administrator; (c) approving the means and form of notice to be provided to the members of the proposed Settlement Class, and (d) directing how members of the proposed Settlement Class can comment on or object to the Proposed Settlement was heard on February 7, 2012 at Toronto, Ontario in the presence of Counsel for the Plaintiffs and Counsel for the Defendants;

15 ✓ PMP

ON READING the moving parties' motion record filed, including the Proposed Settlement and the Affidavit of Luciana P. Brasil, sworn February 3, 2012 and on hearing the submissions of Counsel for the Plaintiffs and Counsel for the Defendants;

1. THIS COURT ORDERS that unless indicated otherwise, the defined terms used in this Order have the same meaning as that ascribed to them in the Proposed Settlement;

2. THIS COURT ORDERS that the hearing of the Plaintiffs' applications to:

(a) partially certify this action for settlement purposes only and approve the Proposed Settlement; and

(b) approve the Legal Expenses;

(collectively, the "Settlement Applications")

will take place on ~~<date and time>~~ Friday June 29, 2012 at 2:00 p.m. ✓ PMP in Toronto, Ontario;

3. THIS COURT ORDERS that Garden City Group Inc. be appointed Settlement Administrator;

4. THIS COURT ORDERS that Pre-Approval Notice be provided to the Settlement Class Members in accordance with the terms of the Proposed Settlement, ^{substantially v PND} in the form which is attached as Schedule "C" to the Proposed Settlement, within 30 days from date when the last Pre-Approval Order is made, by the following means:

(a) the Settlement Administrator will deliver a copy of the Pre-Approval Notice to each Settlement Class Member by email, using the email address that each Settlement Class Member used in purchasing his or her most recently purchased Ticket(s) through the TicketsNow Website, as follows:

1. the English version of the Pre-Approval Notice will be sent to all Settlement Class Members; and
2. a French version of the Pre-Approval Notice will be sent to all Settlement Class Members who purchased a Quebec Ticket or for whom the last contact information shows a Quebec address;

(b) the Defendants will publish the Pre-Approval Notice once in English on a Saturday in the Review section of the national

the last contact information shows a Quebec address;

- (g) Class Counsel will post a copy of the Pre-Approval Notice in English and French on the Class Action Website and on their respective firms' websites;
- (h) Class Counsel will post a link to an electronic version of the Pre-Approval Notice on Facebook and on Twitter in English and French;
- (i) Class Counsel will ask that a copy of the Pre-Approval Notice be posted in English and French with the case information on the CBA's National Class Action Database; and
- (j) Class Counsel will provide a copy of the Pre-Approval Notice in English or French to any person who requests it.

5. THIS COURT ORDERS that the Defendants pay the costs associated with the Settlement Administrator's fulfillment of its role as settlement administrator pursuant to this Order, the costs of translating the Pre-Approval Notice from English into French and the costs of disseminating Pre-Approval Notice pursuant to paragraphs 4(a)-(d), and 4(e) if a press release is issued, only;

6. THIS COURT ORDERS that within 30 days from the date when the last Pre-Approval Order is made, the Defendants and the Settlement Administrator

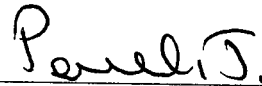
will provide written confirmation to Class Counsel that Pre-Approval Notice was disseminated in accordance with paragraphs 4(a)-(d) of this Order; and

7. THIS COURT ORDERS that any Settlement Class Member seeking to comment or object to the terms of the Proposed Settlement must do so in writing to Luciana P. Brasil at lbrasil@branmac.com at least 7 days prior to the Approval Hearings in any of the locations where the Settlement Class Member

NOTED Settlement Tickets.
ENREGISTRÉ À TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO.:

FEB 16 2012

AS DOCUMENT NO.:
À TITRE DE DOCUMENT NO.:
PER / PAR:



HENRYK KRAJEWSKI et al. v. TNOW ENTERTAINMENT GROUP, INC.
et al.
Plaintiffs Defendants

**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at TORONTO

**ORDER
(Pre-Approval of Notice)**

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