

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE  
JUSTICE HORVAT

)  
)

, THE 31ST DAY  
OF JANUARY, 2025



HUGUETTE GENIER and JOHN O. WELSH

Plaintiffs

- and -

CCI CAPITAL CANADA LIMITED, CCI CAPITAL CORP., CCI INVESTMENTS INC.,  
CENTURION DEVELOPMENTS LTD., RAVI CHAUDHARY, ROBERT JAMES  
EMERSON, ENVIRONMENT REGENERATION SYSTEMS INC., IPO CAPITAL CORP.,  
INTEGRATED BUSINESS CONCEPTS INC., RICARDO MOLINARI, NIDDRIE &  
ASSOCIATES LTD. (c.o.b. as “WILSON INSURANCE AND FINANCIAL SERVICES”),  
NORTHERN FINANCIAL CORPORATION, NORTHERN SECURITIES INC., PHOENIX  
FINANCIAL GROUP INC., PHOENIX FINANCIAL GROUP (2000) INC., VINCE  
VILLANTI, JAMES WILSON, 1009863 ONTARIO INC. (c.o.b. as “WILSON INSURANCE  
AND FINANCIAL SERVICES”) and 1545182 ONTARIO INC. (c.o.b. as “WILSON  
INSURANCE BROKERS”)

Defendants

Proceeding under the *Class Proceedings Act, 1992*, S.O. 1992, c. 6

**ORDER  
Notice of Hearing**

**THIS MOTION** made by the Plaintiffs for an Order approving the notice of discontinuance and distribution approval hearing (“**Notice of Hearing**”) and the method of disseminating the Notice of Hearing, was heard this day at 80 Dundas Street, London, ON N6A 6A3.

**ON READING** the materials filed, and on reading the submissions of counsel for the Plaintiffs, the Defendants taking no position;

1. **THIS COURT ORDERS** that the publication and long-form Notice of Hearing are approved substantially in the form attached hereto as Schedules “A” and “B”.

2. **THIS COURT ORDERS** that the Notice of Hearing will be disseminated in the following manner:

**Publication Notice of Hearing**

- (a) published once in The Cochrane Times (sizing approximately 2”wide and 4”tall), subject to the publisher’s approval and reasonable pricing and deadlines;

**Long-Form Notice of Hearing**

- (b) mailed directly to the last known address of all possible Class Members indicated in Class Counsel’s records; and
- (c) posted on Class Counsel’s website;
3. **THIS COURT ORDERS** the John O. Welsh is removed as a Plaintiff in this action and the style of cause is amended as follows:

HUGUETTE GENIER

Plaintiff

- and -

CCI CAPITAL CANADA LIMITED, CCI CAPITAL CORP., CCI INVESTMENTS INC., CENTURION DEVELOPMENTS LTD., RAVI CHAUDHARY, ROBERT JAMES EMERSON, ENVIRONMENT REGENERATION SYSTEMS INC., IPO CAPITAL CORP., INTEGRATED BUSINESS CONCEPTS INC., RICARDO MOLINARI, NIDDRIE & ASSOCIATES LTD. (c.o.b. as “WILSON INSURANCE AND FINANCIAL SERVICES”), NORTHERN FINANCIAL CORPORATION, NORTHERN SECURITIES INC., PHOENIX FINANCIAL GROUP INC., PHOENIX FINANCIAL GROUP (2000) INC., VINCE VILLANTI, JAMES WILSON, 1009863 ONTARIO INC. (c.o.b. as “WILSON INSURANCE AND FINANCIAL SERVICES”) and 1545182 ONTARIO INC. (c.o.b. as “WILSON INSURANCE BROKERS”)

Defendants

Proceeding under the *Class Proceedings Act, 1992*, SO 1992, c 6

4. **THIS COURT ORDERS** that the time for the service and filing of the materials is hereby abridged.

A handwritten signature in blue ink, appearing to read 'J. Horvat', is positioned above a horizontal line.

Date of Issuance -

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The Honourable Justice Horvat

## Schedule "A"

### CLASS ACTION NOTICE - PHOENIX FINANCIAL ACTION

This notice affects anyone who deposited, invested, or contributed funds in, through, with or to CCI Canada Ltd., CCI Capital Corp., CCI Investments Inc., and/or Phoenix Financial Group Inc. and who were clients of, received advice from, were solicited by, or received representations from Jim Wilson, 1009863 Ontario Inc. (c.o.b. as Wilson Insurance and Financial Services) or 545182 Ontario Inc., excluding the Defendants and their officers, directors, shareholders, employees, agents, partners and spouses and persons or entities who opted out of this action

There will be a motion to discontinue the action against the remaining defendants. The court will also be asked to approve a protocol for the distribution of settlement funds in the action. The hearing will take place in ● at ●, [virtually, if applicable].

Please visit ● for more information, including how to participate and/or object at the hearing.

## Schedule "B"

**TO: CCI/PHOENIX FINANCIAL INVESTORS**

**NOTICE OF DISTRIBUTION AND DISCONTINUANCE OF CLASS PROCEEDING**

### **WHO THIS NOTICE IS FOR?**

This notice is directed to any person or entity who deposited, invested or contributed funds in, through with or to CCI Canada, CCI Capital Corp., CCI Investments Inc., and/or Phoenix Financial Group Inc. and who were clients of, received advice from, were solicited by, or received representations from Jim Wilson, 1009863 Ontario Inc. (c.o.b. as Wilson Insurance and Financial Services) or 1545182 Ontario Inc., excluding the Defendants and their officers, directors, shareholders, employees, agents, partners and spouses and persons or entities who opted out of the action ("**Class Members**").

You are receiving this notice because we think you may be a Class Member. If you are unsure about your inclusion in the Class, please contact Class Counsel at the address below.

### **WHAT IS THE PURPOSE OF THIS NOTICE?**

A class action styled *Genier v CCI Capital Canada Limited, et al.* (Court File No. 45196CP) was commenced in Ontario against CCI Capital Canada Limited, CCI Capital Corp., CCI Investments Inc., Centurion Developments Ltd., Ravi Chaudhary, Robert James Emerson, Environment Regeneration Systems Inc., IPO Capital Corp., Integrated Business Concepts Inc., Ricardo Molinari, Niddrie & Associates Ltd. (c.o.b. as "Wilson Insurance And Financial Services"), Phoenix Financial Group Inc., Phoenix Financial Group (2000) Inc., Vince Villanti, James Wilson, 1009863 Ontario Inc. (c.o.b. as "Wilson Insurance And Financial Services"), and 1545182 Ontario Inc. (c.o.b. as "Wilson Insurance Brokers") (collectively, the "**Defendants**"). The class action alleges that the Defendants were involved in a conspiracy to improperly solicit deposits from members of the public.

Previous settlements were reached with Niddrie and Associates Inc. for \$50,000 and IPO Capital Corp. for \$115,000. Both settlements were approved by the Ontario Superior Court of Justice ("**Court**").

This notice is to advise you that there will be a motion before the Court to approve a protocol for the distribution of settlement funds achieved in this action (the "**Distribution Protocol**") and the discontinuation of this action as against the remaining Defendants.

The motion will take place on [insert information].

### **HOW WILL FUNDS BE DISTRIBUTED?**

The following is a summary of the proposed Distribution Protocol. To access a copy of the full proposed Distribution Protocol, visit <https://www.siskinds.com/class-action/phoenix-financial/>.

### **How much money is available for distribution?**

The IPO and Niddrie settlement amounts and the funds recovered from the bank account of Phoenix Financial Group Inc., plus interest, less amounts approved by the court in respect of class counsel disbursements (“**Net Settlement Proceeds**”) will be available for distribution. We estimate that the Net Settlement Proceeds will be equal to approximately \$133,500.

### **Who is eligible to file a claim?**

All Class Members (defined above) are eligible to file a claim for their Eligible Investments. Eligible Investments means the outstanding principle on funds deposited, invested, or contributed in, through, with or to CCI Canada Ltd., CCI Capital Corp., CCI Investments Inc., and/or Phoenix Financial Group Inc.

*Only Eligible Investments are eligible for compensation. No other investments are eligible for compensation, even if those investments were made in, with, through, or with a different Defendant.*

### **How will payments be calculated?**

The Net Settlement Proceeds will be distributed *pro rata* (proportionately) between eligible Class Members based on the value of their Eligible Investments.

### **How will the claims process work?**

Class Counsel will mail Court-approved Claim Forms to all known Class Members, or persons who may be Class Members. All necessary details about the claims process and deadline will be provided along with the Claim Form.

### **What proof is required?**

Some Class Members have already provided Class Counsel with proof of their Eligible Investments. Where such information is available, Class Counsel will pre-populate the Claim Form with the value of the Class Member’s Eligible Investments (as assessed by Class Counsel based on the information Class Counsel’s records). If the Class Member agrees with Class Counsel’s assessment of Eligible Investments, no further proof will be required from the Class Member.

If Class Counsel does not already have proof of a Class Member’s Eligible Investments and/or a Class Member disagrees with the information in Class Counsel’s records, the Class Member must provide Proof of Investment along with their Claim Form.

Proof of Investment means documents that verify the value of a Class Member’s Eligible Investments, including certificates of deposit, confirmation letters, cheques, receipts, statements, or any other comparable proof that is acceptable to Class Counsel.

### **PROPOSED DISCONTINUANCE**

At the approval hearing, Class Counsel will ask the Court to discontinue the action against the remaining Defendants in this action. If the discontinuance is approved by the Court, the litigation will come to an end.

Please Note: the limitation period for bringing a claim (if there is any time left within it) against the remaining Defendants will recommence when the action is discontinued. On the expiry of the limitation period, your right to sue may be extinguished. As a result, if you wish to bring your own action against one of the remaining Defendants, you should seek legal advice from local counsel.

### **PARTICIPATION IN THE COURT HEARING**

Class Members who do not oppose the proposed Distribution Protocol or discontinuance need not appear at the approval hearing or take any other action at this time.

Class Members are entitled to file written submissions and/or appear at the approval motion to provide their comments and/or objections. Class Members who wish to comment or object must submit a written submission by mail or email to Class Counsel at the address listed below, postmarked no later than [**10 days before the hearing**]. Class Counsel will forward all such submissions to the Court.

If you want to attend the hearing, please contact Class Counsel for additional details (including whether the hearings are proceeding, in person, by videoconference, by teleconference or in writing).

### **MORE INFORMATION**

For more information, please visit <https://www.siskinds.com/class-action/phoenix-financial/> or contact Class Counsel at the following address:

**Siskinds LLP**  
275 Dundas St, Unit 1  
London, ON N6B 3L1  
Tel: 1-800-461-6166  
Email: [phoenixclassaction@siskinds.com](mailto:phoenixclassaction@siskinds.com)

*This notice was approved by the Ontario Superior Court of Justice*

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at London

Proceeding under the *Class Proceedings Act, 1992*

**ORDER  
Notice of Hearing Approval**

**SISKINDS LLP**

Barristers and Solicitors  
275 Dundas Street, Unit 1  
London, ON N6B 3L1

**Michael Robb LSO #45787G**

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