

**HSA Class Action  
Update – December 22, 2017  
Bulletin #10**

On December 19, 2017, Justice Punnett released a Memorandum, advising that he was dismissing an application by the Trustees to have the class action heard at the same time as an earlier lawsuit that the Trustees and the HSA had brought against certain actuaries (the “Actuaries Lawsuit”). Justice Punnett advised that he would issue Reasons for the basis of his decision at a later date. When they are received we will post them on the website.

This will now allow us to seek to set a trial date in the class action.

The results of the opt in / opt out notices showed that the vast majority of potential class members wished to participate in the class action. In particular, of the 221 potential class members, 209 (94%) either elected, or were deemed to have elected, to participate in the class action.