

Arctic Cat and Yamaha Class Action Settlement

www.ArcticCatYamahaNationalClassAction.ca

CLAIM FORM

FOR CATEGORIES 2, 3 AND 4 OF SETTLEMENT BENEFITS ONLY

IF YOU WERE THE **OWNER** OR **LESSEE** OF ONE OF THE SNOWMOBILES LISTED BELOW PRIOR TO SEPTEMBER 14, 2020, YOU MAY BE ENTITLED TO SETTLEMENT BENEFITS.

This Claim Form is to be duly completed if you purchased or leased a snowmobile with a 7000 or 1049cc engine of the following models, for the **years 2014 to 2018**:

From Arctic Cat	From Yamaha
ZR 7000 LXR	The Viper series
ZR 7000 Sno Pro	
ZR 7000 Limited	
ZR 7000 El Tigre	
ZR 7000 RR	
Pantera 7000	
Pantera 7000 Limited	
M 7000 Sno Pro	
XF 7000 Cross Country	
XF 7000 Crosstour	
XF 7000 High Country	
XF 7000 Limited	
XF 7000 LXR	
XF 7000 Sno Pro	
XF 7000 Cross Country Sno Pro	

(collectively, the "Affected Snowmobiles")

PLEASE NOTE THAT, DEPENDING ON YOUR SITUATION, YOU MAY BE ENTITLED TO **MORE THAN ONE (1) CATEGORY** OF SETTLEMENT BENEFITS.

PLEASE READ THIS CLAIM FORM **CAREFULLY** AND COMPLETE ALL CATEGORIES OF CLAIMS (2, 3 AND/OR 4) THAT MAY APPLY TO YOU.

IF YOU ARE ELIGIBLE FOR A CATEGORY 1 CLAIM, YOU DO **NOT** NEED TO SUBMIT A CLAIM WITH THE CLAIMS ADMINISTRATOR TO BE PART OF THE EXTENDED REPAIR PROGRAM (CATEGORY 1). YOU MUST CONTACT AN AUTHORIZED DEALER. VISIT WWW.ARCTICCATYAMAHANATIONALCLASSACTION.CA TO VIEW THE LIST OF AUTHORIZED DEALERS. TO BE CONSIDERED TIMELY, A CATEGORY 1 CLAIM MUST BE SUBMITTED **NO LATER THAN NOVEMBER 9, 2023**.

- SECTION A: GENERAL INSTRUCTIONS -

TO SUBMIT A CLAIM, YOU **MUST**:

- (1) ANSWER TRUTHFULLY ALL OF THE QUESTIONS CONTAINED IN THIS CLAIM FORM FOR ALL CATEGORIES OF CLAIMS THAT MAY APPLY TO YOU;
- (2) INCLUDE ALL THE DOCUMENTS REQUIRED; **AND**,
- (3) ATTACH ADDITIONAL AND NECESSARY SHEETS WHEN PERMITTED ; **AND**,
- (4) SIGN THE SWORN DECLARATION BEFORE A WITNESS (18 YEARS OR PLUS OF AGE).

TO BE CONSIDERED TIMELY, THIS CLAIM FORM **MUST** BE POSTMARKED **NO LATER THAN MARCH 9, 2022** AND **RECEIVED** BY THE CLAIMS ADMINISTRATOR, **NO LATER THAN FRIDAY, APRIL 8, 2022**.

IF ONE (1) OF THESE DEADLINES IS NOT MET, YOU WILL **NOT** BE ENTITLED TO ANY SETTLEMENT BENEFITS.

THE DEFINITIONS SET OUT IN THE NATIONAL SETTLEMENT AGREEMENT APPLY TO THIS CLAIM FORM. YOU MAY CONSULT THE NATIONAL SETTLEMENT AGREEMENT AT WWW.ARCTICATYAMAHANATIONALCLASSACTION.CA

- PLEASE TYPE OR USE BLUE OR BLACK PEN AND WRITE LEGIBLY -

- SECTION B: CLAIMANT CONTACT INFORMATION -

Important: The Claims Administrator will use this information for all communications relevant to this claim. If this information changes, you **MUST** notify the Claims Administrator in writing at the contact information noted at page 8.

(*Indicates required fields)

First Name*	Middle Name	Last Name*	
Street Address (Street, P.O. Box, as applicable)*			
City*	Province*	Postal Code*	Country*
Home Phone (with area code)*	Cell Phone (with area code)*		
Email Address (if provided, we will communicate primarily by email about your claim)*			
Language Preference (choose one)*	English <input type="checkbox"/>	French <input type="checkbox"/>	

- SECTION C: LEGAL COUNSEL IDENTIFICATION -

Important: To be completed **only** if you are currently represented by a lawyer other than *SISKINDS, DESMEULES, AVOCATS*, represented by Mtre Karim Diallo, acting as Class Counsel.

If you complete this section, all further correspondence will be sent to your lawyer.

Law Firm		Lawyer's Full Name	
Law Firm Street Address (Street, P.O. Box, as applicable)			
Law Firm City	Law Firm Province	Law Firm Postal Code	Law Firm Country
Law Firm Phone (with area code)	Fax Number (with area code)	Email	

**- SECTION D: CATEGORY 2 -
SETTLEMENT BENEFITS - REPAIR WORK - CREDIT PURSUANT TO SERVICE BULLETINS
BS201505, BS201706, S15-015 AND S16-080**

You may be entitled to receive a single Credit of **\$80 CAD or of \$160 CAD** redeemable against Available Transactions made during the Claims Period **expiring on March 9, 2022** if, **prior to September 14, 2020**, you had the control unit of the starter reprogrammed by ACT under either Service Bulletin BS201505 or Service Bulletin BS201706, or by Yamaha under either Service Bulletin S15-015 or Service Bulletin S16-080.

In order to determine whether you are entitled to receive a Credit, go to the tab "Check Your Vehicle Identification Number" on the website **www.ArcticCatYamahaNationalClassAction.ca** to see if your snowmobile is included as an Affected Snowmobile in the National Settlement Agreement (part of the "List of Category 2 Eligible VINs"). You will need to provide the Vehicle Identification Number (**VIN**) of your snowmobile to complete the search.

1. Is the VIN of an Affected Snowmobile owned or leased by you included in the List of Category 2 Eligible VINs?

YES **NO**

2. If you have answered "**YES**" to question 1, please provide the following information for each of the Affected Snowmobiles included in the List of Category 2 Eligible VINs.

Affected Snowmobile #1			
Make	Model	Year	VIN
Affected Snowmobile #2 (if applicable)			
Make	Model	Year	VIN
Affected Snowmobile #3 (if applicable)			
Make	Model	Year	VIN
Affected Snowmobile #4 (if applicable)			
Make	Model	Year	VIN
Affected Snowmobile #5 (if applicable)			
Make	Model	Year	VIN

If you have answered “NO” to question 1 and your VIN is not included in the List of Category 2 Eligible VINs:

If your snowmobile is currently **not** included in the List of Category 2 Eligible VINs and you nonetheless seek recognition of an entitlement to receive a Credit under Category 2 Claims, you have until **November 8, 2021** to fill out section D of this Claim Form or to send the Claims Administrator an email requesting to be added to the List of Category 2 Eligible VINs by providing VIN of each Affected Snowmobile. If an entitlement to any such Credit is confirmed by the Claims Administrator, the List of Category 2 Eligible VINs will be updated accordingly.

3. If you have answered “NO” to question 1 and you nonetheless seek recognition of an entitlement to receive a Credit under Category 2 Claims, please provide the following information for each of the Affected Snowmobiles that it **NOT** included in the List of Category 2 Eligible VINs.

Affected Snowmobile #1			
Make	Model	Year	VIN
Affected Snowmobile #2 (if applicable)			
Make	Model	Year	VIN
Affected Snowmobile #3 (if applicable)			
Make	Model	Year	VIN
Affected Snowmobile #4 (if applicable)			
Make	Model	Year	VIN
Affected Snowmobile #5 (if applicable)			
Make	Model	Year	VIN

**- SECTION E: CATEGORY 3 -
SETTLEMENT BENEFITS - COMPENSABLE OUT-OF-POCKET EXPENSES**

You may be entitled to receive a single Credit of **\$200 CAD per Incident** for certain events involving a Starter Deficiency, up to a maximum of three (3) Incidents, for a maximum combined Credit value of \$600 CAD redeemable against Available Transactions made during the Claims Period **expiring on March 9, 2022** if, **prior to September 14, 2020**, you incurred Compensable Out-of-Pocket Expenses as a result of such Starter Deficiencies.

The **Compensable Out-of-Pocket Expenses** are:

- i. Snowmobile towage expenses;
- ii. Transportation expenses, including taxi, public transportation and gas, but only where said transportation occurs to or from the location where the Starter Deficiency was experienced and to the exclusion of any expenses incurred for transportation of any Affected Snowmobile to the place of business of any Authorized Dealers for purposes of receiving services under any of the Service Bulletins;
- iii. Accommodation expenses;
- iv. Food and beverage expenses; **and**
- v. Costs for the Starter Repair, including any insurance franchise or deductible related to said Starter Repair and paid by the Settlement Class Member.

For present purposes, an **Incident** refers to a Starter Repair or the performance of services under any Service Bulletin as a result of a Starter Deficiency.

In order to determine whether you are entitled to receive a Credit under Category 3 Claims, you **must** answer the following questions:

1. **Prior to September 14, 2020**, did you have repair services **performed by ACT, Yamaha or their Authorized Dealers or by a Snowmobile Repair Merchant** on the starter of any Affected Snowmobile, or on any component of the Starter, under any Service Bulletin, **as a result of a Starter Deficiency**?

YES NO

2. a) Did you personally have to incur any **Compensable Out-of-Pocket Expenses** to have such repair services **performed by ACT, Yamaha or their Authorized Dealers or by a Snowmobile Repair Merchant**, to the exclusion of any costs, expenses or disbursements paid or reimbursed by an insurer or another third party?

YES NO

b) Approximately, how much did you pay for all Compensable Out-of-Pocket Expenses in connection with the Incident?

\$.			CAD
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c) What was the date of the repair services or performance of services under any Service Bulletin?

		-			-				
MM			DD			YYYY			

IMPORTANT NOTE REGARDING SUPPORTING DOCUMENTATION - if you have answered "YES" to question 2(a) above, you **must** provide the following documentation or information for each Affected Snowmobile and for each alleged Incident:

➤ A true and correct copy of any and all service orders, invoices, account or credit statements or other documents evidencing:

(a) the incurrence of **Compensable Out-of-Pocket Expenses** as a direct result of the Starter Deficiency, **and**

(b) a request or an attempt made after a first or a second Incident to have the services offered by ACT under Service Bulletins BS201505, BS201706 or BS201810, or by Yamaha under Services Bulletins S15-015, S16-080 or S18-067 performed, or to have a starter repair effected by a Snowmobile Repair Merchant.

Check this box if you have found and have enclosed **all** the required above-mentioned documentation.

Check this box if you **DO NOT HAVE** the required above-mentioned documentation.

In the event that certain documents required above can no longer be found in spite of your best efforts, a **description of expenses incurred must** be provided for **each** Affected Snowmobile and **each** alleged Incident in the table below:

Description of expenses incurred				
	Make	Model	Year	Serial Number
Incident #1	Alleged Incident for this specific Affected Snowmobile			

Incident #2 (if applicable)	Make	Model	Year	Serial Number
	Alleged Incident for this specific Affected Snowmobile			
Incident #3 (if applicable)	Make	Model	Year	Serial Number
	Alleged Incident for this specific Affected Snowmobile			

If you need more room to provide the above particulars for **each** Affected Snowmobile and **each** Incident, you may submit your claim online instead, or add additional sheets and provide all the required particulars, and clearly identify that they are being submitted in addition to your response to question 2(a) under Category 3 Claims.

Check this box if you are submitting additional pages in response to question 2(a) under Category 3 Claims.

**- SECTION F: CATEGORY 4 -
SETTLEMENT BENEFITS – PAST OWNERS**

You may be entitled to recover, on an individual basis, an amount payable in cash equal to the combined value of the Credits to which you would otherwise be entitled under Category 2 or Category 3 Claims, in a single payment to be effected by the Claims Administrator if it is established with probative evidence to the satisfaction of the Claims Administrator that:

- (1) you are entitled to receive a Credit under Category 2 or Category 3 Claims, or both,
- (2) you sold all your Affected Snowmobiles after experiencing the circumstances for which a Credit is offered under Category 2 or Category 3 Claims, or both, and
- (3) you have the status of Past Owner.

In order to determine whether you are entitled to receive a payment under Category 4 Claims, you must answer the following questions:

1. **Prior to September 14, 2020**, were you the owner of an Affected Snowmobile?

YES **NO**

2. Are you **currently** the owner or the lessee or the spouse or common law partner of an owner or lessee of an Affected Snowmobile?

YES **NO**

3. Are you **currently** the owner or the lessee or the spouse or common law partner of an owner or lessee of a snowmobile manufactured, distributed, leased or sold in Canada by a Defendant or its Authorized Dealers and not identified as an Affected Snowmobile hereinabove?

YES **NO**

4. Did you **sell** your Affected Snowmobile(s) on a date which is subsequent to the circumstances for which a Credit is sought under Category 2 or Category 3 Claims, or both?

YES **NO**

If you have answered “**YES**” to both question 1 and question 4 **AND** “**NO**” to both question 2 and question 3, please complete the Claim Form for Category 2 and/or Category 3 Claims and provide valid and probative **proof of the change of ownership for each Affected Snowmobile.**

- SECTION G: IMPORTANT NOTICE TO CLAIMANTS -

Each claim submission **must** be supported by proof or documentation as outlined herein and **must** comply with all other conditions and requirements specified herein, and will be considered and validated by the Claims Administrator.

Note that the documentation requested herein is necessary in order for the Claims Administrator to properly evaluate whether you satisfy the eligibility requirements as outlined in the National Settlement Agreement. Accordingly, the Claims Administrator will closely review the completeness and accuracy of each Claim Form and supporting documentation.

The deadline to submit your Claim Form is **March 9, 2022**. You may submit your Claim Form online, via email, fax or mail at the information below:

Arctic Cat Yamaha National Class Action Settlement Claims Administrator
P.O. Box 507 STN B
Ottawa ON K1P 5P6
Email: info@ArcticCatYamahaNationalClassAction.ca
Telephone: 1-833-683-5866
Fax: 1-866-262-0816
Website: www.ArcticCatYamahaNationalClassAction.ca

**- SECTION H: SOLEMN DECLARATION BY CLAIMANTS AND
CONSEQUENCES OF FALSE CLAIMS -**

By signing this Claim Form, I solemnly declare that all of the facts alleged in this Claim Form in support of my Claims are true, including without limitation the facts contained in:

- (1) my answers to the questions posed in this Claim Form;
- (2) my declarations relating to the best efforts deployed to collect and timely submit any and all required documentation and information; **AND**,
- (3) my representations relating to the incurrence of Compensable Out-of-Pocket Expenses and my status of Past Owner, as the case may be.

By signing this Claim Form, I understand and accept that knowingly providing false information or making misrepresentations could constitute civil or criminal fraud for which I may be held liable at law and be in violation of the Final Order of the Court in these Class Action proceedings.

Date

Signature (Claimant)

Print Full Name (Claimant)