

**CLASS PROCEEDING REGARDING
BANYAN TREE FOUNDATION LEVERAGED CHARITABLE DONATION PROGRAM**

OPT-IN FORM

I previously opted-out of the class proceeding through completion of an Opt-Out Form and submission of same to the Opt-Out Administrator Nicholas Mastroluisi, CA, Petinelli Mastroluisi ^{LLP}, 1 James Street South, 6th Floor, Hamilton, Ontario, L8P 4R5.

I understand that the class proceeding has been settled and that the settlement includes a court declaration that all loan agreements and promissory notes signed by Class Members in favour of Rochester Financial Limited are unenforceable by Rochester, its successors or assigns; as well as a payment of compensation to all Class Members *pro-rata* based on the total amount of the charitable donation tax receipt issued by the Gift Program Defendants in connection with participation in the Banyan Tree Gift Program.

I wish to opt back into the class proceeding and become a Class Member.

NAME _____

RESIDENTIAL/ HOME ADDRESS _____

HOME TELEPHONE NUMBER _____

WORK TELEPHONE NUMBER _____

MOBILE TELEPHONE NUMBER _____

EMAIL ADDRESS _____

I understand that if I opt back into the class proceeding through completion and submission of this form, I will participate in the class proceeding and the settlement and be bound by the result. I understand that this Opt-In Form must be received by the Opt-Out Administrator by no later than **March 30, 2012** or I will not be included in the class proceeding/settlement.

By opting back in and participating in the class proceeding, I understand that I release and discharge the defendants from all legal actions related in any way to the matters raised in the class proceeding.

DATE _____

WITNESS

OPT-IN CLASS MEMBER

TO CONSTITUTE A VALID OPT-IN, THIS FORM MUST BE MAILED, FAXED OR E-MAILED TO NICHOLAS MASTROLUISI, CA, PETINELLI MASTROLUISI ^{LLP}, 1 JAMES STREET SOUTH, 6TH FLOOR, HAMILTON, ONTARIO, L8P 4R5, FAX 905-522-6574; EMAIL: NICKM@PETMAS.CA ON OR BEFORE March 30, 2012.