

"SCHEDULE "A"

FOLLOW-UP NOTICE RE: CLASS PROCEEDING REGARDING BANYAN TREE FOUNDATION
LEVERAGED CHARITABLE DONATION PROGRAM

Read this notice carefully as it may affect your legal rights.

PURPOSE OF THIS NOTICE

This notice is to all individuals who participated in the Banyan Tree Gift Program for the taxation years 2003, 2004, 2005, 2006 and 2007 (the "Class Members").

You will have received an earlier mailing providing you with notice of certification of this action as a class proceeding and information relating to how to either participate in the class proceeding or exclude yourself from it, including financial consequences and where you can obtain additional information.

That notice was approved by Order of the Ontario Superior Court of Justice as required under the provisions of the *Class Proceedings Act*.

Accompanying the notice was an Opt-Out Form which was also court approved.

You also received a letter on the letterhead of the Banyan Tree Foundation dated May 25, 2010.

The Banyan Tree Foundation letter was NOT approved by the court and should not have been sent-out to Class Members.

The Superior Court of Justice has approved the following clarification which is being sent to you by order of the Court.

CLARIFICATION

The Banyan Tree Foundation letter dated May 25, 2010, indicates "the class action suit agrees with the CRA's reassessment". That statement is inaccurate and misleading.

The Banyan Tree Foundation letter implies that all Class Members ought to opt-out and remove themselves from the class proceeding in order to continue to fight against the position of Canada Revenue Agency ("CRA").

It is premature to speculate on the outcome of the class proceeding and the impact or effect of it upon CRA objection proceedings.

It is also premature to speculate on the outcome of any objection to the position of CRA.

Class Members should not rely on the Banyan Tree Foundation letter. The court-approved Notice of Certification and Opt-Out Form provide Class Members with necessary information regarding the class proceeding.

REVOCATION OF OPT-OUT

Persons who have opted-out of the class proceeding because of reliance on the Banyan Tree Foundation letter dated May 25, 2010, will be given an opportunity to change their mind and revoke their decision to opt-out. Those individuals will receive a separate notice.

ADDITIONAL INFORMATION

Additional information regarding the lawsuit can be found at www.classactionlaw.ca.

Questions for class counsel should be directed by telephone or in writing to:

SCARFONE HAWKINS LLP
Barristers & Solicitors
One James Street South, 14th Floor
P.O. Box 926, Depot #1
Hamilton, Ontario
L8N 3P9

ANA DOBSON
E-Mail: adobson@shlaw.ca

Tel: 905-523-1374 ext. 238
Fax: 905-523-5878