

Lake Manitoba

2011 Flood Class Action Settlement

NET INCOME LOSS FAQs:

Frequently asked questions and answers are for general information only with any final assessment of Claimant Eligibility or Claim amounts based only on the court-approved Claims Administration Procedure.

Question	Answer
<p>1. Did you own a Business or Not-For-Profit as at May 1, 2011, within the Lake Manitoba Flood Zone (30km surrounding Lake Manitoba) that had <u>physical property damage or was destroyed</u> by the 2011 Flood Waters?</p>	<p>Yes. Your Business or Not-For-Profit may be eligible for Net Income Loss compensation.</p> <p>No. Your Business or Not-For-Profit is not eligible for Net Income Losses compensation.</p>
<p>2. What kind of Business or Not-for-Profit can submit claims for Net Income Loss?</p>	<p>The following <u>can</u> submit a claim for Net Income Loss:</p> <ul style="list-style-type: none"> ▪ Sole Proprietor ▪ Partnership ▪ Corporation ▪ Cooperative ▪ Not-For-Profit ▪ First Nation Business Off-Reserve <p>The following are <u>not eligible</u> to submit a claim for Net Income Loss:</p> <ul style="list-style-type: none"> ▪ Farm Businesses that engage in agricultural production (addressed in Section B of the Claims Administrator Criteria and Procedure) ▪ Government Funded Research Station(s) ▪ Any Business located on a First Nation Reserve Land

Lake Manitoba
2011 Flood Class Action Settlement
NET INCOME LOSS FAQs:

Question	Answer
<p>3. Are there any limitations to the size of my Business or Not-For-Profit like there were in the Original Government Financial Assistance Program?</p>	<p>There are <u>no limitations</u> to the size of the Business or Not-For-Profit in the Class Action Settlement.</p> <p>In the Original Government Financial Assistance Program, the Business or Not-For-Profit could not have revenues that exceeded \$10 million in their completed fiscal year immediately prior to May 1, 2011. This limitation was removed in the Class Action Settlement.</p>
<p>4. How can I calculate my Business or Not-For-Profit Net Income Loss?</p>	<p>You may choose to engage a professional to assist you in calculating the Quantification of Loss of your Net Income Loss and provide the report as part of your claim.</p> <p>The Claims Administrator can work with your Business or Not-For-Profit to calculate any potential Net Income Loss by following Quantification of Loss calculation principles that may include:</p> <ul style="list-style-type: none"> ▪ Comparing at the same months in prior years. ▪ Prorating fiscal year(s) amounts. ▪ Other methods. <p>The court-approved Claims Administration Procedure provides for the Claims Administrator to assess the amount of the Net Income Loss / compensation on an individual basis which may or</p>

Lake Manitoba
2011 Flood Class Action Settlement
NET INCOME LOSS FAQs:

Question	Answer
	<p>may not agree with your Quantification of Loss calculation of your Net Income Loss.</p>
<p>5. What if my Business or Not-For-Profit still had positive Net Income, but I did not make as much Net Income as a result of the 2011 Flood waters?</p>	<p>Your Business or Not-For-Profit may claim for reduced Net Income that may have been incurred due to the 2011 Flood.</p> <p>The court-approved Claims Administration Procedure provides for the Claims Administrator to assess the amount of the Net Income Loss / compensation on an individual basis which may or may not agree with your Quantification of Loss calculation of your Net Income Loss.</p>
<p>6. What if my Business or Not-For-Profit had Net Losses before the 2011 Flood? However, my losses were larger as a result of the 2011 Flood?</p>	<p>Your Business or Not-For-Profit may claim for increased Net Losses that may have been incurred due to the 2011 Flood.</p> <p>The court-approved Claims Administration Procedure provides for the Claims Administrator to assess the amount of the Net Income Loss / compensation on an individual basis which may or may not agree with your Quantification of Loss calculation of your Net Income Loss.</p>

Lake Manitoba
2011 Flood Class Action Settlement
NET INCOME LOSS FAQs:

Question	Answer
<p>7. What if my Business or Not-For Profit had forecasted more Net Income for the years 2011, 2012 and 2013 but did not achieve the expected Net Income as a result of the 2011 Flood?</p>	<p>Your Business or Not-For-Profit may claim for reduced Net Income that may have incurred due to the 2011 Flood.</p> <p>The court-approved Claims Administration Procedure provides for the Claims Administrator to assess the amount of the Net Income Loss / compensation on an individual basis which may or may not agree with your Quantification of Loss calculation of your Net Income Loss.</p>
<p>8. Is it just lost revenue that I can claim for?</p>	<p>Your Business or Not-For-Profit may claim lost revenue or increased expenses that may have been incurred due to the 2011 Flood that caused a Net Income Loss.</p>
<p>9. What if my Business or Not-For-Profit incurred a Net Income Loss even though it did not incur any physical damage from the 2011 Flood waters? For example, my Business was located on a highway that was normally very busy with seasonal traffic; however, the result of the 2011 Flood, traffic decreased substantially, which caused my business revenues and net income to decrease.</p>	<p>The court-approved Claims Administration Procedure requires a Business or Not-For-Profit to have <u>incurred physical damage</u> as a result of the 2011 Flood waters to be eligible for Net Income Loss compensation.</p> <p>Pure Economic Loss: If your Business or Not-For-Profit <u>did not incur physical damage</u> due to the 2011 Flood waters, it is not eligible for Net Income Loss compensation.</p>

Lake Manitoba

2011 Flood Class Action Settlement

NET INCOME LOSS FAQs:

Question	Answer
10. Can I claim for Net Income Loss in years subsequent to 2011?	The court-approved Claims Administration C Procedure provides for an Eligible Business or Not-For-Profit to claim Net Income Loss from <u>May 1, 2011 to December 31, 2013</u> .
11. What if I continued to incur Net Income Losses after December 31, 2013?	The court-approved Claims Administration Procedure provides for an Eligible Business or Not-For-Profit to claim Net Income Loss from <u>May 1, 2011 to December 31, 2013</u> .
12. My Business or Not-For-Profit has a different year-end from May 1 or December 31. How can I calculate my Net Income Loss?	<p>You may choose to engage a professional to assist you in calculating the Quantification of Loss of your Net Income Loss and provide the report as part of your claim.</p> <p>The Claims Administrator can work with your Business or Not-For-Profit to calculate any potential Net Income Loss by following Quantification of Loss calculation principles that may include:</p> <ul style="list-style-type: none">▪ Comparing at the same months in prior years.▪ Prorating fiscal year(s) amounts.▪ Other methods.

Lake Manitoba
2011 Flood Class Action Settlement
NET INCOME LOSS FAQs:

Question	Answer
	<p>The court-approved Claims Administration Procedure provides for the Claims Administrator to assess the amount of the Net Income Loss/compensation on an individual basis which may or may not agree with your Quantification of Loss calculation of your Net Income Loss.</p>
<p>13. Can I claim the cost of hiring an independent expert for a Quantification of Loss Report to calculate my Business or Not-For-Profit Net Income Losses?</p>	<p>The court-approved Claims Administration Criteria and Procedure do <u>NOT</u> specifically provide for an Eligible Business or Not-For-Profit to claim for the cost of hiring an independent expert for a Quantification of Loss Report calculating your Business or Not-For-Profit Net Income Losses.</p> <p>At the sole discretion of the Claims Administrator, a Claimants' claim amounts not listed in the Class Action Settlement Criteria may be considered for inclusion in the Special Circumstances amount.</p> <p>You may choose to submit the cost of hiring an independent expert for a Quantification of Loss Report calculating your Business or Not-For-Profit Net Income Losses as part of the Special Circumstances section of the Claims Administration Procedure.</p>