

# **iANTHUS CAPITAL HOLDINGS INC. SECURITIES CLASS ACTION SETTLEMENT**

## **NOTICE OF CERTIFICATION AND NOTICE OF HEARING FOR SETTLEMENT APPROVAL**

**[www.iAnthusSecuritiesSettlement.ca](http://www.iAnthusSecuritiesSettlement.ca)**

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

If you are a person or entity, other than an “Excluded Person”, who acquired securities of iAnthus Capital Holdings Inc. (“iAnthus”) during the period **from May 14, 2018 to and including April 5, 2020**, and who held some or all of those securities at the close of trading on April 5, 2020 (defined as the “Class”), then this notice is for you.

In 2020, a proposed securities class action was commenced against iAnthus and two of its former officers in the Ontario Superior Court of Justice (the “Court”). It is alleged that during the period from May 14, 2018 to and including April 5, 2020 (the “Class Period”), the Defendants made misrepresentations or omissions regarding iAnthus (whether contained in a public document or in an oral statement), or permitted or acquiesced in such misrepresentation(s) and/or omission(s).

The parties have reached a proposed settlement of the class action, which is subject to approval by the Court (the “Agreement”). The Defendants do not admit any wrongdoing or liability. The Agreement is a compromise to avoid the uncertainties, risks and costs of further litigation. The representative Plaintiff and Class Counsel believe this settlement is in the best interests of the Class. This Notice provides a summary of the proposed settlement.

### **SUMMARY OF THE SETTLEMENT TERMS:**

Under the Agreement, the Defendants will pay or cause to be paid CAD \$500,000 (the “Settlement Amount”) in full and final settlement of all claims against them, including Class Counsel’s fees and disbursements, any approved honorarium, administrative expenses, applicable taxes, and interest, in exchange for a full release and a dismissal of the class action.

The Settlement Amount, less approved Class Counsel’s fees and disbursements, any approved honorarium, administration expenses (such administrative expenses estimated to be CAD \$105,055 plus HST), taxes, and interest will be distributed to the Class on a pro rata share in accordance with the Court-approved Plan of Allocation. It is estimated that the balance of the Settlement Amount that will be available to be distributed to the Class will be approximately CAD \$200,000, inclusive of interest earned upon the Settlement Amount less taxes applicable to said interest. The Agreement and Plan of Allocation may be viewed at **[www.iAnthusSecuritiesSettlement.ca](http://www.iAnthusSecuritiesSettlement.ca)**.

All Class Members will be bound by the terms of the Agreement unless they opt-out of the action. Class Members can opt-out of the proposed settlement and pursue their own action with their own lawyer at their own expense.

### **MOTION TO APPROVE SETTLEMENT AGREEMENT AND CLASS COUNSEL FEES:**

There will be a hearing (the “Approval Hearing”) in which Class Counsel will request the Court to approve (i) the Agreement; (ii) their legal fees and expenses; and (iii) an honorarium for the representative plaintiff in the amount of CAD \$15,000. The Approval Hearing shall take place on February 20, 2024, via Zoom video-conferencing.

At the Approval Hearing, the Court will determine whether the Agreement is fair, reasonable, and in the best interests of the Class. At the Approval Hearing, Class Counsel will seek Court approval of their request for fees equal to 30% of the Settlement Amount (being CAD \$150,000 plus HST) plus reimbursement of their relevant expenses (estimated to be approximately CAD \$1,000). Class Counsel has been working under a contingency-fee agreement, has not been paid as the matter has proceeded. Class Counsel will be requesting that their legal fees and disbursements be deducted from the Settlement Amount.

Any Class Member may participate in the Approval Hearing to object to the Agreement or comment on the Agreement or Class Counsel's request for fees, expenses or honorarium. If they intend to do so, they are asked to email any objections or comments to Class Counsel at [Info@MSinghLaw.ca](mailto:Info@MSinghLaw.ca) **no later than January 31, 2024**.

#### **YOUR OPTIONS:**

##### **1. STAY IN THE CLASS ACTION AND DO NOTHING:**

You do not have to do anything to stay in the class action. If the Court approves the Agreement, it will be distributed according to the terms. You will be legally bound by all orders and judgments of the Court. You will not be able to sue the Defendants regarding the legal claims made in this case.

##### **2. STAY IN THE CLASS ACTION AND OBJECT TO THE AGREEMENT OR CLASS COUNSEL FEES:**

If you want to object to the proposed Agreement or to the payment of Class Counsel's fees and expenses, you should do so by setting out your objection in an email addressed to Class Counsel at [Info@MSinghLaw.ca](mailto:Info@MSinghLaw.ca).

##### **3. OPT-OUT OF THE CLASS ACTION:**

All Class Members will be bound by the terms of the Agreement, unless they opt-out. The Opt-Out Form is available at [www.iAnthusSecuritiesSettlement.ca](http://www.iAnthusSecuritiesSettlement.ca) or by emailing the Administrator at the address below. Any Class Member who wishes to opt-out of the class action must deliver a completed Opt-Out Form by email to [info@iAnthusSecuritiesSettlement.ca](mailto:info@iAnthusSecuritiesSettlement.ca). The Opt-Out Form must be received **on or before February 18, 2024 at 11:59 pm EST** to be valid.

#### **PERSONAL LEGAL ADVICE:**

Class Members who seek the advice or guidance of their personal lawyers do so at their own expense.

#### **MORE INFORMATION:**

You may obtain further information at [www.iAnthusSecuritiesSettlement.ca](http://www.iAnthusSecuritiesSettlement.ca) or contact the Administrator by email addressed to: [info@iAnthusSecuritiesSettlement.ca](mailto:info@iAnthusSecuritiesSettlement.ca).

**The Ontario Superior Court of Justice has authorized distribution of this Notice.**

**Questions about this Notice should NOT be directed to the Court.**