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Barristers

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May 20, 2010

Canadian Mental Health Association  
Phenix Professional Building  
595 Montreal Road, Suite 303  
Ottawa, Ontario K1K 4L2

Dear Sir or Madam:

Re: Heward v. Eli Lilly (Zyprexa)  
File No. 01040995

We are writing to inform you there has been a resolution to the Canadian Zyprexa class action. Enclosed is a copy of the notice advising individuals of the settlement. We request that you please take reasonable steps to bring this information to the attention of your members. A further notice will be published once the settlement has been approved by the courts which will explain how individuals can make a claim.

Yours truly,

**Stevenson** LLP



J. Daniel McConville

DM/ml

Encl.

SHORT FORM NOTICE OF HEARING - SETTLEMENT APPROVAL

**HAVE YOU USED  
ZYPREXA (OLANZAPINE)?**

IF YOU OR SOMEONE CLOSE TO YOU TOOK ZYPREXA (OLANZAPINE) PRIOR TO JUNE 6, 2007, PLEASE READ THIS NOTICE CAREFULLY AS IT MAY AFFECT YOUR LEGAL RIGHTS AND YOU MAY BE ELIGIBLE FOR COMPENSATION.

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ZYPREXA (olanzapine) is an antipsychotic drug which is prescribed for the treatment of schizophrenia and related psychotic disorders and bipolar I disorder.

Class action lawsuits were initiated in Ontario, British Columbia and Quebec, alleging that Eli Lilly Canada Inc. and Eli Lilly and Company (the "Defendants") negligently manufactured, marketed and sold ZYPREXA (olanzapine) without properly warning of the alleged risks of diabetes and related disorders such as hyperglycemia, ketoacidosis and pancreatitis. The defendants deny the plaintiffs' allegations and deny any wrongdoing or liability. The court has not taken any position as to the truth or merits of the claims or defences asserted by either side. The allegations made by the plaintiffs have not been proven in court.

If you, or a family member in your care, ingested ZYPREXA (olanzapine) prior to June 6, 2007 and developed diabetes, hyperglycemia, ketoacidosis or pancreatitis potentially associated with its use, you may be entitled to compensation. Not all class members will be eligible for compensation.

A Settlement Agreement has been reached. If you or someone close to you used ZYPREXA (olanzapine) prior to June 6, 2007, you should immediately review the full legal notice in this matter to ensure you understand your legal rights. A copy of the full legal notice can be viewed at [www.classaction.ca](http://www.classaction.ca) (English and French), [www.classproceedings.ca](http://www.classproceedings.ca), and [www.poynerbaxter.com](http://www.poynerbaxter.com) or can be obtained from contacting Class Counsel as listed below.

The settlement is based upon the average eligible claimant receiving approximately \$12,000 although this is not an estimate of what a particular Eligible Claimant might receive.

This notice does not constitute medical advice. Patients who have been prescribed ZYPREXA should consult with their physicians if they have any questions with respect to their medical condition and should not stop taking ZYPREXA without consulting their health care professional.

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In the Ontario Class Proceeding lawsuit, which covers all of Canada, except British Columbia and Quebec, a settlement approval hearing has been scheduled for June 8, 2010, at 10:00 a.m. in the city of Toronto. In the Quebec Class Proceeding lawsuit, a settlement approval hearing has been scheduled for June 14, 2010, at 10:00 a.m. in room 3.21 at the Quebec City courthouse. In the British Columbia Class Proceeding, a certification and settlement approval hearing has been scheduled for June 15, 2010 at 9:00 a.m. in the city of Vancouver. At these hearings, the Ontario, Quebec and British Columbia Courts will determine whether the Settlement Agreement is fair, reasonable, and in the best interests of Class Members.

All written submissions received by the appropriate Class Counsel by June 4, 2010 will be considered at the settlement approval hearings. If you support the settlement, you do not have to do anything at this time and further notice will be published following the settlement approval hearings. This will contain details of the procedure to be followed by class members making claims for compensation.

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Class Counsel can be reached as follows:

In all provinces  
other than British  
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PUBLICATION OF THIS NOTICE HAS BEEN AUTHORIZED BY THE  
ONTARIO, QUEBEC AND BRITISH COLUMBIA COURTS

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