

ONTARIO SUPERIOR COURT OF JUSTICE

NOTICE OF CERTIFICATION AND NOTICE OF SETTLEMENT APPROVAL HEARING

TO USERS OF QUICKBOOKS® PRO 2006 FOR MAC OR QUICKBOOKS® NEW USER EDITION 2006 FOR MAC IN CANADA

PLEASE READ THIS NOTICE CAREFULLY. IT MAY AFFECT YOUR LEGAL RIGHTS.

Notice

This notice is directed to all users of QuickBooks® Pro 2006 for Mac or QuickBooks® New User Edition 2006 for Mac (the “Software”) in Canada whose data or files became inaccessible or were damaged, corrupted, or lost, whether temporarily or permanently, as a result of a malfunction in the Software’s auto-update mechanism.

A class action lawsuit has been initiated in Ontario against Intuit Canada and Intuit Inc. (“Defendants”), in which it is alleged that Defendants’ caused the deletion of Software users’ Mac desktop data and resulting damages. A similar class action has also been filed in the United States District Court for the Northern District of California against Intuit Inc.

An agreement (the “Settlement” or “Settlement Agreement”) has been reached in both the Canadian and U.S. actions between the Plaintiffs (the individuals who brought the lawsuits) and Defendants. In order for the Settlement Agreement to become effective, it must be approved by the Ontario Superior Court of Justice and the United States District Court for the Northern District of California.

The lawsuits concern an alleged malfunction with the Software’s auto-update mechanism that may have caused certain users’ data or files to become inaccessible or damaged, corrupted, or lost, whether temporarily or permanently. As currently known to the parties and their counsel, you may have experienced desktop data deletion one of two ways: you (1) accessed the Software between 9:30 p.m. (PST) on December 15, 2007, and 10:00 a.m. (PST) on December 17, 2007; or (2) accessed the Software before 10:00 a.m. (PST) on January 3, 2008, through a publicly available wireless network that requires payment for use.

Defendants deny any wrongdoing or liability in the lawsuit as they have already provided compensation to certain users for their data recovery expenses, believe the malfunction cannot recur as they have ensured disablement of the Software’s auto-update mechanism, notified certain users of the issue, and instituted internal safeguards. By agreeing to the proposed settlement described in this Notice, Defendants are not admitting the merits of the claims in the lawsuits and continue to deny any wrongdoing.

Intuit has publicly indicated its willingness to make compensatory payments to all of its users, including those in Canada, whose data or files became inaccessible or were damaged, corrupted, or lost, whether temporarily or permanently as a result of an error in the Software’s auto-update mechanism (“Class Members”).

On **March 12, 2009** the Honourable Justice **Joan Lax** of the Ontario Superior Court of Justice certified this action as a class action and scheduled a settlement approval hearing to take place in Toronto on May 21, 2009 as detailed below.

QUESTIONS? CALL TOLL FREE 1 (800) 961-2931

Settlement Terms and Benefits

If the Settlement Agreement is approved, Class Members will be eligible to receive compensatory payments under the Settlement and a free upgrade to QuickBooks® Pro 2007 for Mac. The payment will be based on expenses incurred by the Class Member in recovering and reconstructing their lost desktop data. The Settlement Agreement describes the payment amounts in detail. Generally, so that you can decide about your rights before the Settlement is final, the following gives an overview:

Class Members in Canada will be fully reimbursed for all documented expenses incurred for their data recovery efforts (e.g., attempts to locate and reconstitute the actual lost data via data recovery software, the services of third party data recovery vendors, hardware reasonably necessary for data recovery efforts) that were incurred on or before April 30, 2008.

Class Members in Canada will also be reimbursed for data reconstruction expenses and in-house data recovery efforts (e.g. attempts to recreate the lost data) that were incurred on or before April 30, 2008. These data reconstruction reimbursements will be capped as follows: 20 hours at \$75 USD/hour for third party data reconstruction expenses and 20 hours at \$75 USD/hour for in-house data reconstruction or data recovery expenses. These payments may be reduced pro rata if the total amounts claimed for these expenses by Class Members in Canada and the US exceed \$500,000 USD.

A copy of the Settlement Agreement and all Exhibits, including the Claim Form, are posted at the QuickBooks® 2006 for Mac Settlement Website at www.2006QBforMacSettlement.com and may be requested by contacting the Claims Administrator at the contact information noted below.

Ronald Smith & Associates Inc. v. Intuit Canada, et al.
c/o The Garden City Group, Inc.
P.O. Box 9293
Dublin, OH 43017-4693
Toll-Free Number 1 (800) 961-2931

Those who wish to join the Class and benefit from the Settlement are encouraged to review the Claim Form and to prepare documentation in respect of their claims for settlement benefits. The early preparation of the necessary documentation will assist class members in filing a timely Claim Form.

If the settlement is approved, it is proposed that the Claims Period will expire 90 days after a settlement approval notice is sent to you. Only those affected users who timely submit a valid Claim Form will become Class Members and be bound by the terms of the Settlement.

Proposed Class

The Settlement Agreement proposes certification of the following class:

“All users of QuickBooks® Pro 2006 for Mac or QuickBooks® New User Edition 2006 for Mac (the ‘Software’) whose data or files became inaccessible or were damaged, corrupted, or lost, whether temporarily or permanently, in connection with a malfunction of the Software’s auto-update mechanism (the ‘Malfunction’) who timely submit a valid Claim Form.”

QUESTIONS? CALL TOLL FREE 1 (800) 961-2931

Class Counsel Recommendation

Class Members in Canada are represented by the law firm HARRISON PENZA LLP. Canadian Class Counsel can be reached toll-free at 1 (800) 263-0489 ext. 775. Their website is www.harrisonpenza.com.

Class Counsel is highly experienced in class action litigation and recommend the Settlement. In negotiating the Settlement, Class Counsel considered, among other factors, the following:

1. Challenges in overcoming the terms of the applicable End User License Agreement; and
2. Other challenges in establishing liability against Defendants.

Detailed material in support of Settlement approval and approval of Class Counsel fees is posted at the QuickBooks® 2006 for Mac Settlement Website and may be updated from time to time. Potential Class Members are encouraged to review this material in considering whether or not to participate in and/or object to the Settlement.

Settlement Approval Hearings & Class Members' Right to Object

This Notice is to advise you of the Approval Hearing for the Settlement in the Ontario action brought on behalf of Class Members resident in Canada, which will take place on May 21, 2009 at the Court House, 361 University Avenue, Toronto.

Canadian members of the proposed class who do not oppose the Settlement need not appear at the hearing or take any other action at this time to indicate their desire to participate in the Settlement. Members of the proposed class are entitled to object to the Settlement and have the right to appear at the settlement approval hearing, in person or through a lawyer.

Canadian members of the proposed class who wish to object to the Settlement may send an objection in writing by mail or by fax, delivered on or before May 4, 2009 to Canadian Class Counsel at the address or fax number below. All written objections will be presented to the Canadian Court for consideration. If a written objection is filed, it is requested that the written objection include the following information:

1. The individual's full name, address, telephone number, fax number, and e-mail address.
2. A statement that he or she is a member of a proposed class.
3. A brief statement of the nature of and reasons for the objection.
4. Whether he or she intends to appear at the Canadian Court hearing in person or through a lawyer and if through a lawyer, the lawyer's name, address, telephone number, fax number and e-mail address.

Right to Participate in the Settlement

If the Settlement is approved and the Ontario and U.S proceedings are certified as class actions, users affected by the Malfunction shall have the right to join the Class and benefit from the Settlement. Any person who participates in the Settlement by timely filing a valid Claim Form shall be bound by the terms of the Settlement Agreement and all related court orders and shall be forever barred from commencing any proceeding against Defendants in respect of any data or files that became inaccessible or were damaged, corrupted, or lost, whether temporarily or permanently as a result of the malfunction in the Software's auto-update mechanism alleged in the Ontario and U.S. proceedings. No opt out is required.

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If you do not timely submit a valid Claim Form, you shall not be eligible for any of the payments and you will not be bound by the terms of the Settlement Agreement or any related court orders. If approval of the settlement is granted by the Courts, an additional notice will be sent to all registered users of the Software and all known users impacted by the malfunction, advising them of that fact. That notice will specify the deadline by which potential Class Members will be required to submit a Claim Form. The proposed deadline to submit a claim is ninety (90) days after this notice of the approval of the Settlement is sent. Class Members are also encouraged to follow the results of the Settlement approval process on the QuickBooks® 2006 for Mac Settlement Website at www.2006QBforMacSettlement.com.

Defendants have the right to withdraw from the Settlement if the United States court does not approve the related class action pending in the United States District Court for the Northern District of California.

Class Counsel Fees

Under the terms of the proposed Settlement, Class Counsel (including plaintiffs' counsel in the United States) will seek their legal fees, inclusive of disbursements and applicable taxes from the Defendants. These funds will not reduce settlement benefits to Class Members and shall be paid separate from and in addition to the payments to Class Members. The final sum payable to Class Counsel is subject to the approval of the Ontario and U.S. Courts at their respective approval hearings.

Class Counsel Contact Information

Jonathan J. Foreman
HARRISON PENSA LLP
Barristers & Solicitors
450 Talbot Street
London, ON N6A 4K3
Telephone: 1 (800) 263-0489 ext. 775
Facsimile: 1 (519) 667-3362

Questions about the Settlement

Do not direct any questions about this notice or the Settlement to the Courts. The Courts cannot answer them. Any questions should be directed to Class Counsel and/or the Claims Administrator following a review of the QuickBooks® 2006 for Mac Settlement Website and the Settlement Agreement and Exhibits.

Interpretation

If there is any conflict between the provisions of this Notice and the Settlement Agreement and any of its Exhibits, the terms of the Settlement Agreement shall prevail.

This notice has been approved by the Honourable Justice Joan Lax of the Ontario Superior Court of Justice.