

CERTIFICATION NOTICE

NOTICE TO USERS OF PERMAX® CERTIFICATION OF THE PERMAX® CLASS ACTION

This Notice contains information which should interest you. Please read it carefully.

THE CLASS ACTION

This notice is directed to all individuals who have ingested Permax® (also known as pergolide mesylate), a drug formerly prescribed in Canada for the treatment of Parkinson's disease and other illnesses.

A national Class action is pending in the Ontario Superior Court of Justice seeking monetary relief relating to alleged "compulsive/obsessive behaviour, including pathological gambling" resulting from use of Permax®.

THE CERTIFICATION ORDER

The Ontario Superior Court has certified a national class action against Eli Lilly Canada Inc., Eli Lilly & Company and Shire Canada Inc. (formerly Shire BioChem Inc.) in respect of Permax® as follows:

On February 8, 2010, Justice Strathy of the Ontario Superior Court of Justice certified the action Banerjee v. Shire BioChem Inc., Eli Lilly Canada Inc. and Eli Lilly & Company, Ontario Court File #05-CV-293457CP (the "Class Action") as a class proceeding and appointed Swapan Banerjee as the representative plaintiff of the Class defined as follows:

All persons resident in Canada who were prescribed and ingested the drug Permax® (generic name: pergolide mesylate), in Canada at any time on or before the date of this order.

A sub-class for Québec residents has also been created. The Québec sub-class has been defined as follows:

All persons resident in Québec who were prescribed and ingested the drug Permax® (generic name: pergolide mesylate) in Québec at any time on or before the date of this order.

The Motion for Certification against DRAXIS Speciality Pharmaceuticals Inc., formerly DRAXIS Health Inc. was adjourned.

THE NEGOTIATION PROCESS

Plaintiff and Defendants Eli Lilly Canada Inc., Eli Lilly & Company and Shire Canada Inc. (collectively, the "Negotiation Process Parties") are implementing a Negotiation Process in connection with the Class Action in an effort to understand the nature of the claims and determine whether resolution of all the claims may be possible without the need for a common issues trial.

If you have ingested Permax® and you claim, as a result, to have suffered damages relating to impulse control behaviour, including, for example, pathological gambling, hypersexuality, compulsive shopping or spending, or any other compulsive behaviour, it is in your interest to apply to participate in the proposed Negotiation Process.

Class Members wishing to participate in the Negotiation Process must **complete and forward the Negotiation Process Questionnaire by May 31, 2010**. Doing so will help the Negotiation Process Parties explore the possibility of resolving all of the Class Members' claims.

For persons residing in any provinces outside of Québec, the Negotiation Process Questionnaire can be obtained online at: www.thomsonrogers.com/Permax/Questionnaire and be sent by mail, fax, or email to Thomson, Rogers at the address below.

For persons residing in Québec, the Negotiation Process Questionnaire can be obtained online at: www.Lauzonbelanger.qc.ca and be sent by mail, fax, or email to Lauzon Bélanger Inc. at the address below.

Please note that there is no guarantee that applying for the Negotiation Process will result in compensation to you. In participating in the Negotiation Process you will not incur any court costs.

OPTING OUT OF THE CLASS ACTION

Class members who wish to participate in the Class Action need not do anything at this time. They are automatically included in the Class Action.

Any Class member who wishes to opt out of the Class Action must do so **on or before November 30, 2010** by sending a written election signed by the Class member stating that he or she opts out of the Class Action.

For persons residing outside of Québec, the written election should be sent by pre-paid mail, courier or by email to Thomson, Rogers at the address below and for persons residing in Québec, the written election should be sent by pre-paid mail, courier or by email to Lauzon Bélanger Inc. at the address below.

No Class member will be permitted to opt out of the Class Action after November 30, 2010.

No person may opt out on behalf of a minor or a mentally incapable person without permission of the court after notice to The Children's Lawyer or the Public Guardian and Trustee, as appropriate.

LEGAL FEES AND DISBURSEMENTS

Plaintiff's counsel has entered into an agreement with the representative Plaintiff with respect to legal fees and disbursements. The agreement provides that counsel will not receive payment for their work unless the Class Action is successful or costs are received from the Defendants. The agreement, which must be approved by the Court to be effective, provides for a contingency fee of 15% of the amount recovered in the Class Action in addition to any contribution by the Defendants towards the Plaintiff's legal costs and disbursements.

Members of the Class will **not** be personally liable to pay counsel any legal fees or disbursements.

ADDITIONAL INFORMATION

Any questions about the matters in this notice should NOT be directed to the Court because their administrative structures are not designed to address this type of inquiry. The certification order and other information may be obtained online at: www.thomsonrogers.com under the headings "Class Action Litigation" and "Permax", or www.lauzonbelanger.qc.ca under the headings "Our Class Actions" and "Pharmaceutical Drugs", or at www.cba.org/recourscollectifs or www.tribunaux.qc.ca.

Questions for counsel from Class Members outside of Québec should be directed by email, fax or telephone to:

Darcy Merkur
Thomson, Rogers
Barristers and Solicitors
390 Bay Street, Suite 3100
Toronto, Ontario, M5H 1W2
Toll free: 1-888-223-0448, Fax: 416-868-3134
dmerkur@thomsonrogers.com

Questions for counsel from Québec sub-class members shall be directed by email, fax, or telephone to:

André Lespérance
Lauzon Bélanger Inc.
286 St-Paul West, Suite 100
Montréal, Québec, H2Y 2A3
Telephone: 514-844-4646, Fax: 514-844-7009
info@lauzonbelanger.qc.ca

INTERPRETATION

This notice is a summary of terms of the certification order. If there is any conflict between the provisions of this notice and the terms of the certification order, the certification order shall prevail. The certification order may be reviewed at the website: www.thomsonrogers.com under the heading "Permax® Class Action" or www.lauzonbelanger.qc.ca under the headings "Our Class Actions" and "Pharmaceutical Drugs".

This notice was approved by the Ontario Superior Court of Justice.