

**Summary of prepared remarks  
by Harvey Strosberg  
at the information session November 3, 2004**

Thanks are due to Richard Mandeville, Wismar Greaves, Marcus Jordan and Anthony Bowen, the representative plaintiffs, for their continuing efforts on behalf of the class.

This class action pits about 8,000 Bajans against Manulife, a company with billions of dollars in assets. Manulife is defending the action with all its might. But, we have matched its efforts.

To date, there have been about 28 days of witness examinations, resulting in about 4,273 pages of evidence. Manulife has produced about 31,741 pages of documents. There have been 9 court attendances including 2 attendances before the Ontario Court of Appeal, Ontario's highest court. After our examination of its witnesses, Manulife had not answered 974 questions. It is in the process of answering these questions now. On November 1, 2004 the court ordered Manulife to produce portions of about 18 documents which it had wrongly classified as privileged.

To date, about 3,000 class members have registered with us. It is important that every class member register as this will allow us to better calculate the damages and to locate class members upon resolution of the action.

Manulife has not discussed settlement. It has a good business reason for failing to do so. Manulife has been making an annual rate of return of between 12% and 16% on its capital. It will be required to pay prejudgment interest when we are successful, but at a lesser rate of interest. Thus, it makes money by not settling.

We anticipate that the trial will take place in or after January, 2006. Our argument at trial may be briefly summarized as follows:

1. Each participating policyholder became an owner of Manulife when he or she bought a participating policy. As a matter of Canadian law, Manulife cannot unilaterally discard that ownership interest. So, on demutualization, Manulife ought to have included the class members and paid them the same compensation that it paid to its other participating policyholders.
2. The November, 1996 hearing before the Supervisor of Insurance in Barbados, and the Canadian order which followed, did not eliminate the ownership interests of the class members in Manulife.
3. The Ontario court should not recognize the Supervisor's November, 1996 order because representatives of Manulife and Life of Barbados met secretly with the Supervisor after the hearing and discussed the outcome.

We are committed to seeing this action through the trial and, in our opinion, the class will be successful.