

NOTICE OF DISCONTINUANCE: HORIZONS HOU ETF CLASS ACTION

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

By Order of the Ontario Superior Court of Justice, all persons and entities, wherever they may reside or be domiciled, who owned units of HOU at the close of trading on the TSX on April 21, 2020,¹ are advised that:

In August 2020, a proposed class proceeding was commenced against Horizons ETF Corp., Horizons ETFS Management (Canada) Inc., and their directors and officers, for changes made to the BetaPro Crude Oil 2x Bull ETF (HOU) on and around April 22, 2020.

This notice is to advise you that the proposed class proceeding has been discontinued. The Ontario Superior Court of Justice has approved the discontinuance of this class proceeding and the discontinuance took effect on April 11, 2023.

PLEASE TAKE NOTICE THAT the limitation period for bringing a claim began to run again as of April 11, 2023, which is the date the Order granting leave to discontinue took effect. You may lose the right to sue after your limitation period expires.

If you wish to pursue a court claim arising from the changes to the HOU ETF on and around April 22, 2020, you should seek legal advice immediately. Limitation periods may vary between jurisdictions. You should consult your own lawyer about the limitation period that applies to any claim(s) you may have.

If you have any questions, you may contact Koskie Minsky LLP or Sotos LLP at:

Koskie Minsky LLP 900-20 Queen Street West Toronto, ON M5H 3R3 1-833-786-0015 houclassaction@kmlaw.ca	Sotos LLP 1200-180 Dundas Street West Toronto, ON M5G 1Z8 1-888-977-9806 classactions@sotos.ca
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THIS NOTICE HAS BEEN APPROVED BY THE ONTARIO SUPERIOR COURT OF JUSTICE

¹ Excluding (i) the Defendants; (ii) each of Horizons' and Horizons Corp.'s past and present subsidiaries, affiliates, officers, directors, senior employees, partners, legal representatives, heirs, predecessors, successors and assigns; and (iii) any member of the Individual Defendants' respective families