



NOTICE TO MEMBERS

No. 2009 - 109

September 25, 2009

FINAL CONTRACT ADJUSTMENT

Tim Hortons Inc.(THI)

Plan of arrangement

THE FOLLOWING INFORMATION IS PREPARED FOR THE CONVENIENCE OF CANADIAN DERIVATIVES CLEARING CORPORATION (CDCC) MEMBERS AND BOURSE DE MONTRÉAL INC. (THE BOURSE) APPROVED PARTICIPANTS. THIS DOCUMENT IS AN UNOFFICIAL SUMMARY OF CERTAIN TERMS OF THE AFOREMENTIONED ADJUSTMENT. CDCC AND THE BOURSE ACCEPT NO RESPONSIBILITY FOR THE ACCURACY OR COMPLETENESS OF THE SUMMARY. CDCC MEMBERS AND BOURSE APPROVED PARTICIPANTS MUST ENSURE THEY HAVE REVIEWED THE DOCUMENTATION PUBLISHED BY THE ISSUERS INVOLVED IN THIS CORPORATE ACTION.

The Bourse and CDCC wish to inform all equity option participants that Tim Hortons Inc. (« Tim Hortons ») has announced on September 22, 2009 a proposed merger transaction to reorganize the company as a Canadian public company. In the absence of any unforeseen circumstances, Tim Hortons expects to proceed with the completion of the merger to become effective on September 28, 2009.

CDCC - adjustment details:

Pursuant to Terms of Adjustment provided in Section A-902 of the Rules of CDCC, all THI options will be adjusted as follows:

- **EFFECTIVE DATE:** **September 28, 2009**
- **NEW ISIN:** **CA88706M1032**

Please note that there will be no change to the name of the company or to the trading symbol, therefore the option symbol will remain the same.



PLEASE ENSURE THAT ALL CLIENTS WHO HAVE EITHER LONG OR SHORT POSITIONS IN THIS OPTION CLASS ARE ADVISED OF THIS NOTICE.

For further information, please contact Louise Leclair, Trading Systems Analyst Market Operations, Bourse de Montréal Inc. at (514) 871-3526. Clearing members may contact the CDCC Operations Department.

Glenn Goucher
Senior Vice-President and Chief Clearing Officer

Canadian Derivatives Clearing Corporation

65 Queen Street West
Suite 700
Toronto, Ontario
M5H 2M5
Tel. : 416-367-2463
Fax :: 416-367-2473

800 Victoria Square
3rd Floor
Montréal, Québec
H4Z 1A9
Tel. : 514-871-3545
Fax: : 514-871-3530

www.cdcc.ca