

**NOTICE OF HEARING FOR APPROVAL OF A TRANSACTION  
IN THE CLASS ACTION FOR COMPENSATORY DAMAGES FOR COSTS  
FOR EDUCATIONAL SERVICES AND FOR THE PURCHASE OF SCHOOL MATERIALS  
150-06-000007-138**

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The present notice is to inform you that a transaction has been entered into, subject to its approval by the Court, between the parties involved in the class action authorized on December 6, 2016 by the honourable Carl Lachance, J.S.C., against 68 school boards (the "**Class Action**"), on behalf of the persons forming part of the class described below (the "**Class Members**"):

"All persons who have paid, as parents, tutors, or assignees, for their children registered in one of the schools forming part of the educational institutions of the respondents, costs for educational services (...) and for the purchase of textbooks or instructional materials, mandatory or optional, required for the teaching of programs of studies of elementary and secondary education, as well as costs for reference and reading material, from the 2009-2010 school year, except for the ten (10) school boards listed at paragraphs 20. i., ii, iii, iv, v, vi, x, xii, xiii, and xv, from the 2008-2009 school year, until the judgment date, that are not subject to the exception contemplated by section 7 of the *Education Act* (CQLR c I-13.3), subject to certain reservations with respect to the *Commission scolaire des Samares* for which the following clarifications should be made:

- ◆ With respect to the *Commission scolaire des Samares*, all of the matters that were the subject of the discontinuance recorded in the minutes of the hearing dated February 27, 2012 in the court record 705-06-000005-109 of the Superior Court of the district of Joliette will be excluded from the claim;"

The present notice is issued pursuant to section 590 of the *Code of Civil Procedure* of Quebec and presents a summary of the proposed transaction (the "**Transaction**"). The Transaction can have consequences on your rights, whether you act or not. Please read this notice carefully.

<b>THE TRANSACTION</b>
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Without admission of liability, and subject to their rights and remedies against their liability insurers, the 68 defendant school boards agree to collectively pay a total amount of \$153,507,134.00 in capital, interests, costs and additional indemnity (the "**Settlement Fund**"), including the fees of counsel for the Class Members (and the applicable taxes), as well as the disbursements (including financing costs) and legal costs incurred by them, but excluding the distribution costs and the publication costs for the notices, which are assumed directly by the Defendants and not from the Settlement Fund, the whole in full and final settlement of the Class Members' claims for all alleged pecuniary losses and damages.

The Settlement Fund will allow the payment to each Class Member of a compensatory lump sum of \$28.49 per student per school year (the "**Individual Indemnity**"), for the 2009-2010 or 2010-2011 school years, as applicable, until the 2016-2017 school year inclusively. The fees of counsel for the Class Members (and the applicable taxes), as well as the disbursements (including financing costs) and legal costs incurred by them, the total of which should be approximately \$4.40 per student per school year, will be deducted from the Individual Indemnity of \$28.49 per student per school year, all subject to the approval of the Court.

The compensated years are the 2009-2010 to 2016-2017 school years in the case of the following 10 school

boards:

- Commission scolaire de la Capitale
- Commission scolaire du Chemin-du-Roy
- Commission scolaire des Découvreurs
- Commission scolaire de l'Énergie
- Commission scolaire De La Jonquière
- Commission scolaire du Lac-Saint-Jean
- Commission scolaire des Navigateurs
- Commission scolaire du Pays-des-Bleuets
- Commission scolaire des Premières-Seigneuries
- Commission scolaire des Rives-du-Saguenay

The 2010-2011 to 2016-2017 school years are compensated for the other school boards covered by the Class Action.

The Transaction provides that for the 2017-2018 and 2018-2019 school years, the Class Members will be compensated by the *Supplement for the purchase of school supplies* paid from the 2017-2018 school year by the Government of Québec.

Any Class Member who has not opted out of the Class Action in accordance with section 580 of the *Code of Civil Procedure* of Quebec will give full and final release for any dispute arising directly or indirectly from the facts and costs mentioned in the proceedings instituted in the Class Action, for the years 2008-2009 to 2018-2019 inclusively.

#### **DISTRIBUTION OF THE AMOUNTS PROVIDED FOR IN THE TRANSACTION**

The Transaction provides for the automatic distribution of the Individual Indemnity to each Class Member for all indemnified years, without the need to submit a claim. The automatic distribution will be made by one or several external claims administrator(s) or by the school boards themselves, in which case under the supervision and verification of an external auditor.

The Class Members will be able to notify the parties of a change of address on a website provided for this purpose within a delay of 120 days from the final judgment approving the Transaction pursuant to the procedure provided for in the Transaction to be approved by the Court.

In the event that the entire Settlement Fund is not distributed to the Class Members, the remaining balance will be allocated to a distinct budgetary item to be set up by each of the Defendants which will be used exclusively to help students with financial needs.

#### **HEARING FOR APPROVAL**

The parties will ask the Superior Court to approve the Transaction on **July 18, 2018, at 9:30 am, in room 3.01, at the Chicoutimi Courthouse**, located at 227 Racine Street E, G7H 7B4 (the "**Hearing For Approval**"). On this occasion, the Class Members will be able to assert their contentions before the Court regarding the Transaction and the distribution of the remaining balance, if any. The judgment approving the Transaction determines, if necessary, the mechanics of its execution.

The Class Members who want to object or to make representations regarding the Transaction will be able to address the Court directly, or through their counsel, at the Hearing For Approval. The Court will consider the objections and / or representations and / or arguments of any person wishing to address the Court.

<b>TO LEARN MORE</b>
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This notice only contains a summary of certain provisions of the Transaction. If you have any questions, please contact counsel for the Class Members.

Counsel for the Class Members are:

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Counsel for the defendants (all of the school boards, except for the five (5) Montreal school boards) are:

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## **INTERPRETATION**

This notice contains only a summary of certain provisions of the Transaction. In the event of a conflict between the provisions of this notice and those of the Transaction, the provisions of the Transaction will prevail.

**THE PUBLICATION OF THIS NOTICE HAS BEEN ORDERED BY THE COURT.**