

NOTICE OF SETTLEMENT AND CLASS COUNSEL FEE APPROVAL
(LONG FORM)

THIS NOTICE IS TO ALL INDIVIDUALS WHOSE PERSONAL INFORMATION (“PERSONAL INFORMATION”) WAS IN THE POSSESSION OF FAMILY AND CHILDREN’S SERVICES OF LANARK, LEEDS AND GRENVILLE (“FCSLLG”) AND WAS DISCLOSED OR OBTAINED BY UNAUTHORIZED THIRD PARTIES ON OR BEFORE APRIL 18, 2016.

READ THIS NOTICE CAREFULLY AS IT MAY AFFECT YOUR LEGAL RIGHTS

1. What is this lawsuit about?

A representative Plaintiff (identified as M.M.) commenced a class proceeding against FCSLLG seeking damages on behalf of individuals whose Personal Information was in the possession of the FCSLLG and was disclosed or obtained by unauthorized third parties on or before April 18, 2016. This action was certified as a class proceeding on December 21, 2017. FCSLLG denies the allegations made against it in this class proceeding. Flaherty McCarthy LLP represents the class (“Class Counsel”).

2. Why am I receiving this Notice?

The parties to the class proceeding reached a settlement (the “Settlement”) of this class proceeding. The Settlement is a compromise of disputed claims against FCSLLG without any admission of liability by FCSLLG. The Settlement was approved by the Honourable Mr. Justice C. MacLeod on May 3, 2021.

The purpose of this document is to provide notice of the approval of the Settlement and Class Counsel Fees, and to advise you how to make a claim for compensation pursuant to the Settlement Agreement.

3. Am I a member of the class?

You are a member of the class and entitled to participate in the Settlement if you fall into one of the following categories and have not validly opted out of the class proceeding:

1. The 282 persons (including their estates or personal representatives) other than Kelley Denham, identified by name in a confidential FCSLLG document disclosed or obtained by unauthorized third parties on or before April 18, 2016 (an “Identified Class Member”, and collectively, the “Identified Class”);
2. Those persons who, during the period of April 1, 2015 to April 18, 2016, (i) were the spouse or common law partner of an Identified Class Member, or (ii) otherwise stood *loco parentis* to the children or step-children of an Identified Class Member (an “Identifiable Adult Class Member”, and collectively the “Identifiable Adult Class”); or
3. Those persons who, during the period of April 1, 2015 to April 18, 2016, were a living child or step-child of an Identified Class Member (an “Identified Child Class Member”, and collectively, the “Identifiable Child Class”).

4. What settlement has been reached in this class proceeding?

Under the Settlement, FCSLLG will pay five million dollars (\$5,000,000) (the “Gross Settlement Funds”), plus additional amounts for reasonable notice and administration costs, in exchange for, among other things, a full and final release of the claims against it. The Gross Settlement Funds have been reduced by the Court-approved Class Counsel fees, HST and disbursements in the total amount of \$1,904,500. The remaining amount of \$3,095,500 (the “Net Settlement Funds”) will be distributed in accordance with the Distribution Protocol in the Settlement Agreement, which includes a distribution to eligible Class Members as follows:

1. \$6,722 payable to each member of the Identified Class to a total aggregate monetary limit of \$1,421,630. If the total aggregate payments to the Identified Class exceed this monetary limit, then \$1,421,630 will be distributed pro-rata among the Identified Class.
2. \$3,192 payable to each member of the Identifiable Child Class, to a total aggregate monetary limit of \$1,359,820. If the total aggregate payments to these Class Members exceed this monetary limit, then \$1,359,820 will be distributed pro-rata among the Identifiable Child Class.
3. \$2,146 payable to each member of the Identifiable Adult Class, to a total aggregate monetary limit of \$309,050. If the total aggregate payments to these Class Members exceed this monetary limit, then \$309,050 will be distributed pro-rata among the Identifiable Adult Class.

The Court has appointed a Claims Administrator who will identify eligible Class Members from a list of persons FCSLLG has determined fall within the class definition (the “Class Member List”). In some cases, individuals who are not on the Class Member List may also be eligible for compensation, as explained below.

5. How can I make a claim for compensation under the Settlement?

In order to be eligible for compensation under the Settlement, you must complete and submit an Eligibility Form to the Claims Administrator. A copy of the Eligibility Form can be accessed and submitted through the Claims Administrator’s website at <http://fcssettlement.com/>. A copy of the Eligibility Form is also provided with this Notice and can be mailed to the Claims Administrator at the mailing addressed listed below.

You must complete and submit your Eligibility Form by November 23, 2021 at 11:59 p.m. (the “Claims Deadline”). **After this time, no further Eligibility Forms will be accepted or valid.** If you do not deliver an Eligibility Form to the Claims Administrator by the Claims Deadline, you will not be able to receive a portion of the Net Settlement Funds. As explained below, you may also be required to submit additional documentation along with your Eligibility Form in order to qualify for compensation under the Settlement.

1. Identified Class Members

To qualify as an eligible member of the Identified Class, individuals must submit a copy of one or more pieces of the following government-issued proof of identification (“Proof of Identification”) along with their completed Eligibility Form to the Claims Administrator during the Claims Period:

- a. driver’s license;
- b. Ontario Health Insurance Program (OHIP) card;
- c. birth certificate;
- d. Liquor Control Board of Ontario (LCBO) BYID card;
- e. Ontario Student Record (OSR); or
- f. passport.

You will qualify as an eligible member of the Identified Class if you submit a valid Eligibility Form along with Proof of Identification during the Claims Period, and your name appears on the Class Member List.

2. Identifiable Adult Class Members

To qualify as an eligible member of the Identifiable Adult Class, individuals must submit Proof of Identification (as described above) along with their completed Eligibility Form to the Claims Administrator during the Claims Period. You will qualify as an eligible member of the Identifiable Adult Class if you submit a valid Eligibility Form along with Proof of Identification during the Claims Period, and your name appears on the Class Member List.

3. Identifiable Child Class Members

To qualify as an eligible member of the Identifiable Child Class: (a) individuals who have reached the age of majority will need to submit Proof of Identification (as described above) along with a completed Eligibility Form to the Claims Administrator during the Claims Period; and (b) individuals who have not reached the age of majority will need to have an Eligibility Form submitted to the Claims Administrator on their behalf by a parent or guardian during the Claims Period and will **not** be required to submit Proof of Identification. You will qualify as an eligible member of the Identifiable Child Class if you submit a valid Eligibility Form, and if you have reached the age of majority, Proof of Identification, during the Claims Period and your name appears on the Class Member List.

6. What if I am told that I am not eligible to receive compensation?

You will be deemed ineligible to receive compensation under the Settlement and will receive a notice of ineligibility (the “Ineligibility Notice”) from the Claims Administrator, if you: (i) submitted an Eligibility Form during the Claims Period but are not on the Class Member List; or (ii) you submitted an Eligibility Form during the Claims Period and are on the Class Member List, but your Eligibility Form was invalid and/or was not accompanied by Proof of Identification (if required).

If you receive an Ineligibility Notice, you will have thirty (30) days from the date the Ineligibility Notice is delivered to you to establish to the satisfaction of the Claims Administrator that you are an eligible Class Member by submitting a valid Eligibility Form and/or producing additional documentation to the Claims Administrator. Additional information about how you can qualify for compensation under the Settlement will be provided to you in the Ineligibility Notice.

7. How much will Class Counsel be paid?

You will not have to pay any of the fees and expenses of Class Counsel. The Court has approved a contingency fee agreement and has fixed Class Counsel fees and disbursements in the amount of \$1,904,500. This amount is comprised of \$1,650,000 for legal fees, \$214,500 for HST applicable to legal fees and \$40,000 for disbursements inclusive of HST.

8. Additional Information.

Information regarding the Settlement is available at <https://fcssettlement.com/> and www.CASprivacybreach.com.

You can obtain more information about this Settlement by contacting Class Counsel or the Claims Administrator using the contact details listed below:

CLASS COUNSEL: SEAN A. BROWN FLAHERTY MCCARTHY LLP Toronto-Dominion Centre 95 Wellington Street West 10th Floor, Suite 1000 Toronto, Ontario M5J 2N7 info@CASprivacybreach.com	CLAIMS ADMINISTRATOR: FCSSLG Claims Administrator c/o RicePoint Administration Inc. P.O. Box 4454 Toronto Station A 25 The Esplanade Toronto, ON M5W 4B1
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**The Ontario Superior Court of Justice has authorized distribution of this Notice.
Questions about this Notice should NOT be directed to the Court.**