

**NOTICE TO CLASS MEMBERS**  
**AUTHORIZATION OF A CLASS ACTION**

De Auburn v. Desjardins assurances générales Inc. et al.

Superior Court File no: 500-06-001040-209

**Not-at-fault accidents and the determination of auto insurance premiums**

This notice relates to the Superior Court of Quebec (district of Montreal) Judgment dated August 18<sup>th</sup>, 2021, authorizing a class action against the Defendants DESJARDINS GENERAL INSURANCE INC. , INTACT INSURANCE COMPANY, BELAIR INSURANCE COMPANY INC., PRIMMUM INSURANCE COMPANY, SSQ INSURANCE COMPANY INC., LA CAPITALE GENERAL INSURANCE INC., INDUSTRIAL ALLIANCE AUTO AND HOME INSURANCE INC., AVIVA GENERAL INSURANCE COMPANY, THE PERSONAL GENERAL INSURANCE INC. and ROYAL & SUN ALLIANCE INSURANCE COMPANY OF CANADA.

The judgment of the Honourable Thomas M. Davis, J.S.C., describes the class membership as follows:

Every person, natural or legal, residing in Quebec who, being insured by an auto insurance policy issued or renewed by any of the Defendants after January 24, 2017, have had a not-at-fault accident in the course of the last six (6) years preceding such issue or renewal.

Ms. Rebecca De Auburn has been designated as class representative for this class action.

The nature of the class action brought by Ms. De Auburn on behalf of the members is a class action in price reduction and compensatory damages against the Defendants, auto insurers in Quebec.

Ms. De Auburn is asking the Court to determine, among other things, whether the occurrence of a not-at-fault accident constitutes a relevant factor in determining the insurance premium. The Court will have to determine whether the Defendants committed a fault or violated their obligation to act in good faith with respect to the inclusion of non-at-fault accidents in the determination of auto insurance premiums. In the affirmative, the Court will have to determine the adequate compensation to be paid by auto insurers.

Ms. De Auburn mainly asks that the Court orders the Defendants to pay each class member a sum to be determined in order to compensate them for the inflated price they paid for their insurance premiums or for the loss, reduction or refusal of discount.

Ms. De Auburn's contentions have not been proven at this stage and the Court has yet to decide at trial whether the class action's allegations are founded. The Defendants deny these allegations and intend to contest the class action.

Class members can opt out if they do not wish to participate in the class action, in which case, any judgment to intervene in the course of the class action will not be bind them.

To opt out, members must send **a letter to the Court Office of the Quebec Superior Court** indicating their desire to opt out, as well as their name and contact information, at the following address or in person, by **no later than sixty (60) days following the final publication of the present notice**:

**Court Office the Quebec Superior Court**

Montreal Courthouse

1 Notre-Dame Street East,

Montreal, QC H2Y 1B6

RE : Class Action no 500-06-001040-209

Class members cannot be called upon to pay the legal costs of the class action were the class action dismissed.

**A new notice will be published once a final judgment is rendered on these applications.**

The Judgment authorizing this class action and the formalities relating to the opting out procedure for class members are available at the Court Office of the Superior Court of the district of Montreal, and on the Registry of class actions' website <https://www.registredesactionscollectives.quebec/en>.

The class members are represented by the following attorneys:

**Renno Vathilakis**

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514-937-1221

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

In case of discrepancy, the Authorization Judgment prevails.