
NOTICE OF APPROVAL OF A SETTLEMENT AGREEMENT

9415-8441 Québec inc. v. WHC Solutions en ligne inc., # 500-06-001162-219

Please read this notice carefully as it may affect your rights

Subject

A settlement agreement (“**Agreement**”) has been reached in the context of a class action in Quebec concerning the web hosting service outage that affected WHC Solutions en ligne inc. (“**WHC**”) and its customers on August 28, 2021.

On November 30, 2023, the Agreement was approved by the Superior Court of Quebec.

What is provided by the Agreement?

Per the terms of the Agreement, WHC agrees to extend Credits to Class Members directly into their WHC account without a claims process. The total value of the Credits granted will be **519 927,97 \$**. Credits will have no expiry date and may be used, in whole or in part, until their total value is exhausted, for any purchase from WHC. They will be non-transferable, non-refundable and non-convertible to cash.

The total amount of Credits will be distributed and allocated to the various Members whose Accounts have been affected by the Outage, according to the monthly price paid for the web hosting service for each Account at the time of the Outage multiplied by the number of months of Credits agreed for the server on which this Account was hosted. The number of months of Credits for each server is agreed as follows, to account for the varying length of time different servers were affected by the Outage :

Server	Month	Total value	Average per Member
Clark	9,0	141 061,94 \$	72,27\$
Bishop	9,0	83 883,14 \$	70,68\$
Drummond	9,0	138 889,79 \$	74,23\$
Acadie	5,6	24 841,65 \$	50,54\$
Bernard	5,6	23 493,79 \$	56,26\$
Atwater	1,5	20 407,20 \$	10,36\$
Rachel	1,5	25 893,76 \$	19,26\$
Peel	1,5	24 070,92 \$	10,77\$
Beaubien	1,5	21 200,82 \$	12,41\$

Server	Month	Total value	Average per Member
Rev	4,0	10 085,12 \$	197,77\$
Rev2	1,0	2 345,41 \$	45,99\$
Decarie	1,0	3 754,43 \$	9,84\$
TOTAL		519 937,97 \$	

In addition, WHC agrees to pay a total amount of **120 000,00 \$** to Members who have exceptionally required the services of a third party during and as a result of the Outage, for services rendered by a third party for the purpose of ensuring the continuity of the activity of a website of the Member affected by the Outage. Any such Members will however need to submit a valid claim accompanied by the necessary evidence ("**Reimbursement**").

Finally, WHC agrees to pay the costs of administering the Agreement, as well as Class Counsel's legal fees, disbursements and applicable taxes.

Who can benefit from the Agreement?

The Agreement applies to all persons whose situation matches that of the following Class : “All persons who are WHC customers with accounts on servers that were affected by the outage of August 28, 2021.”

How to participate in the Agreement?

You do not have to take any action in order to benefit from the Credits. WHC will deposit your Credits directly into your WHC account.

To qualify for a Reimbursement you must however submit a completed Claim Form along with the necessary supporting documentation to the Claims Administrator **by email, mail or courier** at :

MATSON, DRISCOLL & DAMICO LTD
 JURICOMPTABLES / FORENSIC ACCOUNTANTS
 To the attention of : Ephraim Stulberg
 625, President Kennedy Avenue, #1015
 Montreal (Quebec) H3A 1K2
 Email : classactionsettlement@mdd.com

All Claim Forms must be received by the Claims Administrator no later than on January 31, 2024.

For more information

If you have any questions about the Agreement or would like copies of the settlement documents, including the Agreement and related exhibits, you may visit the settlement website at <https://lambertavocats.ca/en/class-action-whc/> or contact Class Counsel at the following address :

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Lambert Avocats
1111, Saint-Urbain Street, #204
Montreal (Quebec) H2Z 1Y6
Phone : 514 526-2378
Fax : 514 878-2378
Email : jlambert@lambertavocats.ca

This Notice contains a summary of certain terms of the Agreement. In the event of any discrepancy between this Notice and the Agreement, the terms of the Agreement shall prevail.

The content and dissemination of this Notice have been authorized by the Superior Court of Quebec