

Turcot Project Class Action Notice of Settlement Approval Hearing

Detailed information and updates will be available on the Settlement Website of the Claims Administrator at the following address: www.velvetpayments.com/turcot

A proposed Settlement has been reached in a class action authorized by the Superior Court of Quebec on August 21, 2018, relating to the annoyances allegedly caused by construction work to the Turcot Project (Court file no. 500-06-000843-173). The proposed Settlement is subject to Court approval.

WHO IS A CLASS MEMBER?

All residents, who at any time since March 21, 2015, resided within 350 meters of that section of the Saint-Jacques Street, (including the Saint-Jacques overpass), which runs West to East, intersecting the West perimeter of Girouard Avenue in the City of Montreal, Borough of Notre-Dame-de-Grâce, and the East perimeter of Decarie Boulevard in the same Borough. Please read this notice carefully as only Eligible Class Members may be entitled to financial compensation.

For the purpose of the Settlement, the settlement class is comprised of all residents, who at any time since March 21, 2015, have resided at one of the addresses listed hereafter:

- Even addresses from 906 to 1100 inclusively on Addington Avenue;
- Even addresses from 940 to 1106 inclusively and odd addresses from 901 to 1091 inclusively on Girouard Avenue;
- Even addresses from 922 to 1068 inclusively and odd addresses from 929 to 1087 inclusively on Old Orchard Avenue;
- Even addresses from 916 to 1012 inclusively on Oxford Avenue;
- Odd addresses from 933 à 967 inclusively on Harvard Avenue;
- Even address 5610 and odd addresses from 5451 to 5695 inclusively on St-Jacques Street;
- Even addresses from 5450 to 5570 inclusively and odd addresses from 5529 to 5567 inclusively on Upper Lachine Road;
- Odd addresses from 941 to 1943 inclusively on Prud'homme Avenue;
- Even addresses from 952 to 1082 inclusively on Decarie Boulevard;
- Even addresses from 5306 to 5314 inclusively on Crowley Avenue.

WHO IS AN ELIGIBLE CLASS MEMBER?

Eligible Class Members are all residents, who at any time in 2016 and 2017 have resided within the perimeter eligible for compensation (Appendix 1.3) at one of the addresses listed in Appendix 2.2 of the Settlement, and summarized as follows:

- Even addresses from 906 to 972 inclusively on Addington Avenue;
- Odd addresses from 901 to 923 inclusively on Girouard Avenue;
- Odd addresses from 5451 to 5493 inclusively on St-Jacques Street.

WHAT IS THIS CASE ABOUT?

The lawsuit claims that the *ministère des Transports du Québec* acted negligently and in violation of the rights of Class Members to peaceful enjoyment of their property. It further alleges that the noise and pollution from the repairs to the Turcot Project have caused Class members abnormal inconveniences. The Defendant denies having any liability.

WHAT DOES THIS SETTLEMENT PROVIDE?

Pursuant to the proposed Settlement, a settlement fund of \$168,000 will be used to compensate Eligible Class Members in the amount of \$85 per month per person before deductions for 2016 and \$55 per month per person before deductions for 2017. The fees of the plaintiff's attorneys, up to a maximum of \$56,100 plus applicable taxes, and their costs and disbursements of up to \$3,500, including taxes, shall be paid from the settlement fund, subject to the Court's approval. As well, the amount of compensation may increase or decrease depending on the number of claimants. Eligible Settlement Class Members who submit a valid and timely Claim Form may receive compensation (in the form of an Interac e-Transfer). The Claim Form will be available on the Settlement Website www.velvetpayments.com/turcot.

Only Eligible Class Members may qualify to receive compensation under the proposed settlement as described in this Notice.

WHAT ARE YOUR OPTIONS?

If you are a Class Member, you may (1) object to the Settlement; (2) exclude yourself; and/or (3) do nothing. If you don't want to be legally bound by the Settlement, you must exclude yourself. To do so, you have until **October 12, 2020** to advise the clerk of the Superior Court of Quebec, District of Montreal, at 1 Notre-Dame Street East, Montreal, Quebec, H2Y 1B6, by registered mail. Please make sure to include file no. 500-06-000843-173 in your correspondence. Anyone who opts out cannot object to the Settlement and may be eligible to pursue an individual claim. In general, only those persons who wish to bring an individual action at their own expense have the interest to exclude themselves from a class action. If you do nothing, you will stay in the Class. If you stay in the Class, you may object to the Settlement by submitting a written objection to the Court clerk by no later than **October 12, 2020**.

WHEN AND WHERE WILL THE COURT DECIDE TO APPROVE THE SETTLEMENT OR NOT?

The Superior Court of Quebec must be satisfied that the Settlement is fair, reasonable and in the best interests of Class Members. The Settlement Approval Hearing will take

place on **October 15, 2020 at 9:30 a.m. in room 2.08** (or any other room to be confirmed at a later date) at the Montreal Courthouse located at 1 Notre-Dame Street East, Montreal, Quebec. You do not have to attend the hearing but you may do so, if you wish. If you have submitted a written objection to the Court, you (or your lawyer) may present arguments with regards to the proposed Settlement.

HOW CAN YOU GET MORE INFORMATION?

This is only a summary notice. You may view the complete Pre-Approval Notice and Settlement Agreement on the Settlement Website at www.velvetpayments.com/turcot and Class counsel website: www.lpclex.com.

WHO REPRESENTS THE CLASS MEMBERS?

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This Notice has been approved by the Superior Court of Quebec.