

**ANNEXE A**  
**VERSION DÉTAILLÉE DE L'AVIS AUX MEMBRES EN ANGLAIS**

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**NOTICE OF SETTLEMENT APPROVAL HEARING**

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**Please read this notice carefully as it may affect your rights.**

**This notice is aimed at anyone in Quebec who purchased and/or consumed Recalled Products offered by Adonis in the spring of 2018.**

<b>IMPORTANT DEADLINE</b>	
<b>Opt-Out Deadline</b> – for Class Members who wish to opt out of this class action. See pages 3 and 4 for more details.	<b>JUNE 10, 2021.</b>

A settlement agreement (hereinafter "**Settlement**") was reached, subject to its approval by the Court, between Mohamed Aziz Rahmani (hereinafter the "**Plaintiff**"), and Groupe Adonis Inc., Groupe Phenicia Inc. and Ghaleb Investments Inc. (hereinafter the "**Defendants**") in the context of a class action brought by the Plaintiff in connection with the recall, in the spring of 2018, of Recalled Products sold in Marché Adonis stores due to their possible Hepatitis A virus contamination.

« Recalled Products » means :

- The 1 kg Montana brand frozen strawberries from Egypt, sold in all Adonis establishments between January 15, 2018, and April 20, 2018, with the code number 6222000401487;
- The 1L and 500 ml bottled strawberry and banana "Jus d'Adonis", sold in all Adonis establishments between January 15, 2018, and April 13, 2018;
- The 1L and 500 ml bottled "Douceur aux fraises" smoothies, sold in all Adonis establishments between January 15, 2018, and April 13, 2018; and
- The large and medium "Adonis", "Monsieur Twister" and "Saveur d'été" cocktails served in plastic glasses, sold in all Adonis establishments between January 15, 2018, and April 13, 2018.

## **1. PURPOSE OF THIS NOTICE**

The purpose of this notice is to inform you that the Plaintiff and the Defendants have reached a Settlement which terminates this class action. The parties consider that the Settlement represents the best solution to settle the conflict in a fair and equitable manner and will therefore ask the Superior Court of Quebec (hereinafter the "**Court**") to approve the Settlement.

This Settlement will, however, need to be approved by the Court before it comes into force.

The Court will hold a hearing on **June 18, 2021, at 9:30 AM** at the Montreal Courthouse to decide whether to approve the Settlement and authorize the bringing of this class action for these purposes only. Please note that you have no obligation to attend. However, you may do so if you have representations to make on the proposed Settlement (see section 6 for details).

## **2. WHAT IS THE PURPOSE OF THE CLASS ACTION?**

The Plaintiff alleges that the Defendants were negligent in the manufacture and/or distribution of the Recalled Products. This allegation has, however, not been proven in Court and is contested by the Defendants.

The purpose of this class action is to obtain compensation for all people in Quebec who :

- 1) contracted Hepatitis A by consuming contaminated Recalled Products;
- 2) were vaccinated against Hepatitis A following their consumption of Recalled Products;
- 3) purchased Recalled Products between January 15, 2018, and April 20, 2018; and/or
- 4) are successors, beneficiaries, heirs, family members or dependents of an individual who contracted Hepatitis A by consuming contaminated Recalled Products.

Symptoms associated with Hepatitis A may include fever, loss of appetite, stomach pain, jaundice, dark urine, and fatigue.

## **3. WHAT DOES THE SETTLEMENT PROVIDE FOR?**

Without admission of liability, the Defendants agree to pay the sum of \$ 775,000 to resolve the claims arising from the sale of the Recalled Products.

## **4. HOW CAN I BE COMPENSATED?**

Once the Settlement has been approved by the Court, another notice will be issued to inform Class Members of the approval of the Settlement, the way the Settlement

Amount will be distributed, and the way Class Members will be able to file a claim for compensation under the Settlement. To ensure that you receive future notices by mail or email, please register online at [www.lambertavocatinc.com/class-action-adonis/](http://www.lambertavocatinc.com/class-action-adonis/).

In the meantime, you must keep copies of your invoices, receipts, credit card statements, medical records and other documents that corroborate your purchase of Recalled Products, and/or your vaccination against or contraction of Hepatitis A as a result of consuming the Recalled Products.

## 5. DISTRIBUTION PROTOCOL

The Court will also be asked to approve a Distribution Protocol which will establish the way the Settlement Amount will be distributed to Class Members. A copy of the proposed Distribution Protocol can be viewed at the following website: [www.lambertavocatinc.com/class-action-adonis/](http://www.lambertavocatinc.com/class-action-adonis/).

The Distribution Protocol provides for compensation depending on the duration of the illness and hospitalization suffered by the Class Member if applicable. Class Members will, however, not be able to make a vaccination claim in addition to an illness claim.

## 6. WHAT ARE YOUR RIGHTS AND OPTIONS?

**1. Do nothing:** If you do nothing, you will be able to benefit from the compensation provided for in the Settlement following its approval by the Court. In addition, you will be bound by the terms and conditions of the Settlement and will waive the right to bring your own lawsuit against the Defendants for facts regarding or arising out of this class action and the Recalled Products.

**2. Opt out:** However, if you do not wish to be bound by this Settlement for any reason, you will need to take steps to opt out of the Class, which will result in your exclusion from the Settlement. By doing so, you will not receive any compensation under the Settlement. In addition, you will not be bound by the class action and may bring your own lawsuit against the Defendants for facts regarding or arising out of this class action and the Recalled Products. By opting out, you also assume full responsibility for taking the proper legal steps necessary to bring forth your personal claim.

If you wish to opt out, you must send to the Class Counsel the Opt-Out Form enclosed in this notice, duly completed and signed.

The Opt-Out Form must be sent by mail or email and received by Class Counsel no later than on **JUNE 10, 2021**, at the following address:

**Lambert Avocat Inc.**  
a/s M<sup>tre</sup> Jimmy Ernst Jr. Laguë Lambert  
1111, St-Urbain St., Suite 204  
Montreal (Quebec) H2Z 1Y6  
Email : [jlambert@lambertavocatinc.com](mailto:jlambert@lambertavocatinc.com)  
Phone : (514) 526-2378  
Fax : (514) 878-2378

and

The Opt-Out Form must also be sent by registered or certified mail no later than on **JUNE 10, 2021**, to the following address:

**Clerk of the Superior Court of Quebec**  
Montreal Courthouse  
1, Notre-Dame St. East  
Office 1.120  
Montreal (Quebec) H2Y 185  
File N<sup>o</sup> : 500-06-000949-186

**3. Object:** All the terms and conditions of the Settlement have been negotiated in good faith between the Plaintiff and Class Counsel as well as the Defendants and their attorneys. Furthermore, both the Plaintiff and Class Counsel confirm that the Settlement is in the best interest of the Class Members. However, although your attendance is not required at the Settlement Approval Hearing, you will have the right to make representations if you disagree with the terms and conditions of the Settlement.

If you wish to object to the Settlement, you will need to send a duly signed written objection that contains the following information:

- (i) The file number of the class action : *Rahmani v. Groupe Adonis inc. et a/s.*, C.S.M. 500-06-000949-186;
- (ii) Your contact details (full name, current address, email address and phone number);
- (iii) A statement saying that you wish to dispute the approval of the Settlement and the grounds for your objection, including supporting documents if applicable;
- (iv) A statement regarding whether you intend to appear and make representations at the hearing, personally or through your attorney, and if so, the name of your attorney.

The written objection must be sent by registered or certified mail, no later than on **JUNE 10, 2021**, to the Clerk of the Superior Court of Quebec at the address indicated above. A copy of your written and signed objection must also be sent to the Class Counsel at his address mentioned above.

At least a week before the Settlement approval hearing is scheduled, instructions on how to attend in person (if possible) or remotely will be posted on the following website: [www.lambertavocatinc.com/class-action-adonis/](http://www.lambertavocatinc.com/class-action-adonis/).

#### **7. ARE YOU REPRESENTED BY LEGAL COUNSEL?**

Yes. The firm Lambert Avocat Inc., whose contact details are provided above, represents all Class Members in the current class action. Lambert Avocat Inc. will not charge Class Members any legal costs in connection with this class action, their fees, if approved by the Court, being deducted directly from the Settlement Amount.

During the Settlement Approval Hearing, Lambert Avocat Inc. will seek the approval of fees in the amount of \$ 185,381.99, plus applicable taxes, as well as disbursements incurred.

**This notice and its publication have been approved and authorized by the Superior Court of Quebec.**

In the event of any discrepancy between this notice and the Settlement, the Settlement shall prevail.

**EXCLUSION FORM**  
**CLASS ACTION AGAINST ADONIS**  
**(file No.: 500-06-000949-186)**

If you complete this form, you will not be entitled to receive compensation from any settlement or judgment in this class action.

If this is your intention, the **exclusion** from the class action will allow you to take action by your own means against Groupe Phenicia Inc. and Ghaleb Investments Inc. (hereinafter the "**Defendants**").

This form is an exclusion form not a claim form. You must complete this form only if you wish to opt out of the class action. If you opt out, your right to file a claim in a separate proceeding will not be affected, but any limitation period (i.e. a deadline by which you must have filed a claim) that has been interrupted by the filing of this proceeding will begin to run again from the date of your exclusion.

If you wish to be excluded from the present settlement, you must complete and send this exclusion form by registered or certified mail, no later than **JUNE 10, 2021**, to the Clerk of the Superior Court of the District of Montreal at the following address:

**Clerk of the Superior Court of Quebec**  
Montreal Courthouse  
1, Notre-Dame Street East  
Office 1.120  
Montréal (Québec) H2Y 185  
File number: 500-06-000969-192

A copy of your request must also be sent to:

Applicant' and Class Counsel :

**Lambert Avocat Inc.**  
a/s Me Jimmy Ernst Jr. Laguë Lambert  
1111, St-Urbain, suite 204  
Montréal (Québec) H2Z 1Y6  
Email: [jlambert@lambertavocatinc.com](mailto:jlambert@lambertavocatinc.com)  
Phone: (514) 526-2378  
Fax: (514) 878-2378

**THIS IS NOT A CLAIM FORM**

Last name: \_\_\_\_\_ First name: \_\_\_\_\_

Address: \_\_\_\_\_ Apartment: \_\_\_\_\_

City: \_\_\_\_\_ Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Email : \_\_\_\_\_

**I ACKNOWLEDGE THAT BY OPTING OUT, I WILL NOT BE ELIGIBLE TO  
RECEIVE COMPENSATION PURSUANT TO A SETTLEMENT OR  
JUDGMENT IN THIS CLASS ACTION.**

Date: \_\_\_\_\_ Signature \_\_\_\_\_

**If you do not submit this form by the deadline, you will not be able to opt out.**

Please note that the form will be deemed to have been submitted on the date indicated on the postmark.

If you have any questions about the use of this form or how it should be filled, please contact class counsel by telephone at (514) 526-2378 or by email at [jlambert@lambertavocatinc.com](mailto:jlambert@lambertavocatinc.com).

To be valid, this form must be complete, signed and sent, as explained above, no later than **JUNE 10, 2021**.