

SPIESER V. ATTORNEY GENERAL OF CANADA ET AL.

(CONTAMINATION OF GROUNDWATER BY TCE IN SHANNON, QUEBEC)

**NOTICE TO MEMBERS THE PROCESS FOR THE EXECUTION OF THE JUDGMENT AND FOR
THE ADMINISTRATION OF INDIVIDUAL CLAIMS IN CASE NO. 200-09-007773-127**

THIS NOTICE MAY AFFECT YOUR RIGHTS
PLEASE READ IT CAREFULLY

YOU ARE INVITED TO CONTACT ANY PERSON YOU BELIEVE MAY BE CONCERNED BY THIS NOTICE

PERSONS AFFECTED AND COMPENSATION TO WHICH YOU MAY BE ENTITLED

Following the Quebec Court of Appeal judgments rendered on January 17, 2020, and November 1, 2021, in the case no. 200-09-007773-127, persons aged 18 years or over on December 21, 2000, who resided in the municipality of Shannon **or on Cannon Street** situated on the territory of the Saint-Gabriel-de-Valcartier municipality (including the married quarters of CFB Valcartier in Shannon or on Cannon Street situated on the territory of the Saint-Gabriel-de-Valcartier municipality), Province of Quebec, for at least one month during certain determined periods between the months of April 1995 and June 2006, may be entitled to cumulative compensation ranging from **\$250 to \$64,000**, plus interest and additional indemnity accrued from July 16, 2007, to the date of payment of the compensation.

The Court of Appeal judgments are available at the following addresses (in French only): <http://t.soquij.ca/t9D7E> ; <http://t.soquij.ca/Qk9f6>.

The persons who have a right to compensation pursuant to judgment are adults having resided in one of the identified addresses during an identified period, as follows:

(a)

| | |
|----------------------|--------------------|
| Gosford Road | Numbers 3 to 49 |
| Station Street | Numbers 8 to 30 |
| Juneau Street | Numbers 3 to 405 |
| Sioui Street | Numbers 1 to 17 |
| Conway Street | Numbers 3 to 58 |
| Pine Street | Numbers 377 to 389 |
| King Street | Numbers 1 to 31 |
| Jacques-Cartier Blvd | Numbers 415 to 435 |
| Saint-Patrick Street | Numbers 10 to 105 |

Any adult having lived at one of these addresses has a right to:

- \$750 in moral damages per month of occupation during the exposure period from **January 1996 to December 2000** (60 months);
- \$250 in punitive damages per month of occupancy during this same exposure period;
- As well as \$250 per month of occupation from **September to December 2001**, up to a maximum of \$1,000 \$;

Any adult having lived at one of these addresses and having had under their custody or in their responsibility during the exposure period of **January 1996 to December 2000** one or more children under the age of 18 has a right to an additional lump sum of \$3,000.

(b)

| |
|-----------------|
| Garceau Street |
| Herman Street |
| Gagnon Street |
| Dauphin Street |
| Roy Street |
| Beauvais Street |
| Chapman Street |
| Savoy Street |
| Cannon Street |
| Dubé Street |
| Vanier Street |

Any adult having lived at one of these addresses has a right to:

- \$750 in moral damages per month of occupation during the exposure period during the exposure period from **April 1995 to March 2000** (60 months);
- \$250 in punitive damages per month of occupation during this same exposure period.

Any adult having lived at one of these addresses and having had under their custody or in their responsibility during the exposure period of **April 1995 to March 2000** one or more children under the age of 18 has a right to an additional lump sum of \$3,000.

(c) (i)

| | |
|----------------------|--------------------|
| Birch Street | Numbers 5 to 23 |
| Mélèzes Street | Numbers 1 to 21 |
| Jacques-Cartier Blvd | Numbers 361 to 364 |
| Lilac Street | Numbers 2 to 22 |
| Maple Street | Numbers 4 to 24 |
| Oak Street | Number 24 |
| Willow Street | Numbers 2 to 5 |

| | |
|----------------|--------------------|
| Dublin Road | Numbers 430 to 433 |
| Gosford Road | Numbers 61 to 135 |
| William Street | Numbers 3 to 9 |

Any adult having lived at one of these addresses has a right to \$250 per month of occupation in **November and December 2004** up to a maximum of \$500.

(ii)

| | |
|----------------------|--------------------|
| Birch Street | Numbers 25 to 39 |
| Mélèzes Street | Numbers 23 to 101 |
| Elm Street | Numbers 6 to 30 |
| Maple Street | Numbers 28 to 43 |
| Oak Street | Numbers 25 to 38 |
| Cedar Street | Numbers 1 to 14 |
| Jacques-Cartier Blvd | Numbers 280 to 346 |
| William Street | Number 11 |

Any adult having lived at one of these addresses has a right to \$250 per month of occupation from **September to December 2005** up to a maximum of \$1,000.

(iii)

| | |
|----------------------|------------------------------------|
| Hillside Street | Numbers 5 to 50 |
| Jacques-Cartier Blvd | Numbers 294, 296, 309, 333 and 335 |
| McCarthy Street | Numbers 1 to 7 |

Any adult having lived at one of these addresses for the month of **June 2006** has a right to \$250.

Unless they validly opted out of the class action following the March 19, 2007, decision authorizing the class action and the publication of the notices to that effect, all persons covered by the description of the above subclasses are bound by the judgment dated January 17, 2020.

HEARINGS BEFORE THE SUPERIOR COURT OF QUEBEC

On June 30, 2021, Justice Bernard Godbout of the Quebec Superior Court:

- Approved the form and content of this notice and of the plan for communicating the notice;
- Designated a Claims Administrator;
- Approved the Claims process;
- Approved the Claim Form;

- Approved Class counsel fees of 25% of the compensation paid to the Class members.

On March 31, 2022, Justice Bernard Godbout approved the modifications to the Claims process in order to integrate the claimants who have resided on Cannon Street.

**CLASS COUNSEL PROFESSIONAL FEES AND
FUNDS WITHHELD BY THE FONDS D'AIDE AUX ACTIONS COLLECTIVES**

In accordance with the mandate and professional fee agreement, dated December 9, 2003, and January 20, 2010, respectively, between Class Counsel and Marie-Paule Spieser, the representative plaintiff in the present case, Class Counsel are entitled in professional fees to the equivalent of 25% of all compensation to be paid to class members.

As a result, on June 30, 2021, the Court approved that a proportion of 25% would be withheld directly by the Claims Administrator from the compensation to be paid to class members for the professional fees of Class Counsel.

In addition, under article 592 of the *Code of Civil Procedure* and the *Regulation respecting the percentage withheld by the Fonds d'aide aux actions collectives*, the Fonds d'aide aux actions collectives may withhold a percentage from the compensation paid, in accordance with the following parameters:

- (a) 2% from any liquidated claim less than \$2,000;
- (b) 5% from any liquidated claim exceeding \$2,000 but less than \$5,000;
- (c) 10% from any liquidated claim exceeding \$5,000.

CLAIMS PROTOCOL AND FORM

Raymond Chabot Grant Thornton has been appointed as Claims Administrator in this case.

To be eligible to receive compensation, class members must submit a Claim to provide information and supporting documents establishing the following:

- 1- They were aged 18 years or over on December 21, 2000;
- 2- The duration of their residence in Shannon or on Cannon Street situated on the territory of the Saint-Gabriel-de-Valcartier municipality and their address(es) during the relevant period;
- 3- If they were parents with custody or responsibility of one or more children under the age of 18 before December 21, 2000, at a relevant address;
- 4- If the Claim is submitted on behalf of a Claimant who has deceased or who lacks capacity, the person submitting the claim must establish their authority or right to do so.

Class members wishing to obtain the compensation to which they believe themselves entitled must, **no later than January 15, 2023**, fill out the Claim Form approved by the Court, online on the Claims Portal which is located on the website created by the Administrator for the Claims Process and include copies of all supporting documents. Any Claim submitted after that date is prescribed.

The electronic Form and the Protocol are available online at the following address: actioncollectiveshannon.ca.

When the Administrator determines that a Form is incomplete or contains an error, the Administrator may send the Claimant a notice of the irregularity. The Claimant will then have **thirty (30) days** from the date the notice is sent by email to remedy the irregularity. If the irregularity is not remedied within the time limit, the Administrator will recommend that the Claim be dismissed without further notice or delay.

However, if a Claimant is unable to remedy the irregularity within the time limit, the Claimant may contact the Administrator in writing to ask for an additional **thirty (30) days**.

In the event it is impossible for a Claimant to provide documentary evidence, a Claim may be supported by a sworn declaration. However, any Claim supported by a sworn declaration will only be processed at the end of the Claims Period, and the Claimant will not be entitled to interest and additional indemnity for the time this takes. These measures aim to ensure a fair distribution of the consequences of making this option available to members, and to reduce the risk of error and fraud, which could affect members' rights.

In accordance with the Protocol, the Administrator may consult with the Claimant and the Defendants to discuss a Claim.

The Superior Court of Quebec will decide each Claim on the basis of the Administrator's Recommendation and, if applicable, the submissions of Class Counsel, the Legal Representative or a Claimant who has not mandated Class Counsel to represent them before the Court, and the Defendants.

COMPENSATION PAYMENTS

The Administrator will make compensation payments to class members who submit Claims found to be eligible by the Superior Court of Quebec, after deductions of Class Counsel's professional fees and any prescribed percentage for the Fonds d'aide aux actions collectives, as soon as practicable following the Superior Court of Quebec's Final Decision on these Claims and in accordance with the Protocol.

FOR MORE INFORMATION OR TO OBTAIN A COPY OF THE DOCUMENTS

You may contact the Claims Administrator with any questions you may have; however, please note that the Administrator does not provide legal advice. The Administrator's contact information is as follows:

Raymond Chabot Grant Thornton
reclamationshannon@rcgt.com
1-855-310-1012
actioncollectiveshannon.ca

You can also contact Class Counsel for assistance or additional information, using the contact information below:

Charles A. Veilleux
Charles Veilleux et Associés, s.e.n.c.r.l.
1339 James-LeMoine Street,
Quebec City, Quebec, Canada G1S 1A5
Telephone: 418-527-5257
Fax: 418-694-0281
Email: cveilleux@cva-juris.com

This notice was approved by the Honourable Bernard Godbout, judge of the Superior Court of Quebec.