

ONTARIO  
SUPERIOR COURT OF JUSTICE

B E T W E E N:

JAMES YEO

Plaintiff

- and -

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF ONTARIO

Defendant

*Proceeding under the Class Proceedings Act, 1992*

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NOTICE PLAN AGREEMENT (SETTLEMENT)

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1. The terms defined in the Settlement Agreement have the same meaning herein. "Class List" means the list of Class Members provided by the Defendant to Class Counsel pursuant to paragraph 7(a) of the Certification Order dated December 22, 2016 and pursuant to the Court Order dated March 27, 2018, with the Class Member addresses and date of birth where available, as revised by the Defendant with information received to the date of the Notice Plan Approval Order, and with the Class Members who validly opted out removed.

**Phase 1 – Notice of Settlement Approval Hearing**

2. Within seven (7) days of the Court Order Approving the Notice Plan ("Notice Plan Approval Order"), both the Defendant and Plaintiff shall provide the Notice Provider with the most current contact information (addresses and emails) they have for Class Members. The Defendant shall provide the Class List to the Notice Provider and the Plaintiff shall provide

the Notice Provider with all known Class Member contact information collected by Class Counsel to the date of the Notice Plan Approval Order.

3. The Notice Provider shall:

- (a) within 21 days of the Notice Plan Approval Order, send out the Notice of Settlement Approval Hearing in the form attached as Schedule "A", by email and/or regular mail, to all individuals on the Class List for whom the Notice Provider has an email address or mailing address, but not to those individuals who validly opted out of this action.
- (b) within 21 days of the Notice Plan Approval Order, send out the Notice of Settlement Approval Hearing in the form attached as Schedule "A", to the email addresses or mailing addresses for Class Members provided by Class Counsel, to the extent this contact information is different from 3(a). Notice will not be sent to individuals who validly opted out of this action;
- (c) within 45 days of the Notice Plan Approval Order, cause the Notice of Settlement Approval Hearing in the form attached as Schedule "B" hereto to be published once in a 1/8 page ad in the publications listed in Schedule "C" hereto;
- (d) within 30 days of the Notice Plan Approval Order, distribute the Notice of Settlement Approval Hearing set out in Schedule "A" by mail and/or e-mail to the agencies identified in Schedule "D" hereto with a covering letter stating: "Please find the Notice of Settlement Approval Hearing in the class action *Yeo v. HMQ* Court File No.: CV-16-547155-00CP. This action pertains to the Child and Parent Resource Institute. Kindly review and distribute the notice as you see fit.";
- (e) within 30 days of the Notice Plan Approval Order, request that ARCH Disability Law Office distribute the Notice of Settlement Approval Hearing set out in Schedule "A" as it sees fit;
- (f) within 21 days of the Notice Plan Approval Order, post the Notice of Settlement Approval Hearing to the Notice Provider's website;

- (g) forward the Notice of Settlement Approval Hearing or the Settlement Agreement to any Class Member who requests it;
  - (h) within 30 days of the Notice Plan Approval Order, purchase and distribute internet banner notices on Google Display Network and Facebook targeted to South-Western Ontario and the Greater Toronto Area with a total budget of \$25,000 for online advertising pursuant to this plan;
  - (i) within 30 days of the Notice Plan Approval Order, issue a national press release in the same form attached as Schedule "H" posted on CNW / CISION ; and
  - (j) within 30 days of the Notice Plan Approval Order, establish a toll-free line to respond to inquiries from Class Members, family members of Class Members, guardians or agency staff, or other persons who make inquiries on their own behalf or on behalf of Class Members.
  - (k) The Notice Provider shall also post on its website and distribute to any person requesting a copy an Objection Form substantially in the form attached as Schedule "E" hereto.
3. Class Counsel shall within 7 days of the Notice Plan Approval Order, post the Notice of Settlement Approval Hearing on its website.
  4. Class Counsel shall within 7 days of the Notice Plan Approval Order, request current mailing addresses from all Class Members who contacted Class Counsel and from all individuals who made inquiries on behalf of Class Members prior to date of the Notice Plan Approval Order. Class Counsel shall request current mailing address information from all Class Members or individuals who make inquiries on behalf of Class Members who contact Class Counsel subsequent to the Notice Plan Approval Order.
  5. Within 7 days of the Notice Plan Approval Order, the Defendant shall request electronic searches be carried out in order to obtain updated information available for Class Members on the Class List. These searches will be carried out in accordance with the Order of Justice Glustein dated March 27, 2018. In particular, the Defendant will request the results of electronic searches of the following databases:

- ) the Ministry of Health Registered Persons Database;
- ) the Ministry of Government and Consumer Services maintained electronic database of birth and death information;
- ) the Ministry of Transportation database; and
- ) the Ministry of Children, Community and Social Services Social Assistance Management System database.

6. The results of the database searches carried out in paragraph 5 will be provided to the Notice Provider by the Defendant as soon as they are available and within 60 days of the date of the Notice Plan Approval Order. The Notice Provider will cross-reference all the address and contact information received as a result of the database searches in paragraph 5 with the addresses and contact information already provided to the Notice Provider by the Defendant and Class Counsel in paragraph 2. Where the addresses provided are different from the information already received by the Notice Provider, the Notice Provider will send notice of the Settlement Approval Hearing to these new addresses at a minimum of two weeks before the date scheduled for the Settlement Approval Hearing.
7. The parties expressly agree that the results of the database searches carried out in paragraph 5 will be used for the notice required in this matter going forward including, in the event the Court approves the Settlement Agreement, notice of the approval of the settlement agreement and notice of the claims process. These database searches will not be carried out again.

**Phase 2 – Notice of Settlement Approval (agreed to by the Parties and contingent on Court approval)**

8. Within 7 days of the Settlement Approval Order, Class Counsel shall provide all available email and address information in Class Counsel's possession, arising out of paragraph 4, relating to Class Members to the Claims Administrator;
9. The Claims Administrator shall:

- (a) deliver the Notice of Settlement Approval substantially in the form attached as Schedule "F", by email and regular mail, to the "Updated Class List"<sup>1</sup> and to all addresses or email addresses for Class Members received from Class Counsel which are not duplicative of the contact information on the Updated Class List, within ten (10) days of the Settlement Approval Order but will not deliver the Notice to those individuals who validly opted out of this action;
- (b) cause the Notice of Settlement Approval in the form attached as Schedule "G" hereto to be published in a 1/8 page ad in the publications listed in Schedule "C" hereto;
- (c) distribute the Notice of Settlement Approval by mail and/or e-mail to the agencies identified in Schedule "D" hereto with a covering letter requesting that the agencies disseminate the Notice of Settlement Approval as they see fit;
- (d) request that ARCH Disability Law Office distribute the Notice of Settlement Approval as it sees fit;
- (e) post the Notice of Settlement Approval to the Claims Administrator's website;
- (f) forward the Notice of Settlement Approval to any Class Member who requests it;
- (g) purchase and distribute internet banner notices on Google Display Network and Facebook targeted to South-Western Ontario and the Greater Toronto Area with a total budget of \$25,000;
- (h) issue a national press release in a form to be agreed to by the parties; and
- (i) establish a toll-free support line to respond to inquiries from Class Members, Class Members' families, guardians or agency staff, or other persons who make inquiries on their own behalf or on behalf of Class Members.

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<sup>1</sup> "Updated Class List" means the "Class List" as defined in paragraph 1 with the additional information obtained as a result of the database searches carried out in paragraph 5.

10. Class Counsel shall within 7 days of the Settlement Approval Order, post the Notice of Settlement Approval on its website.

Schedule "A" Notice of Settlement Approval Hearing

**PHASE I SETTLEMENT APPROVAL HEARING NOTICE MATERIALS**

**NOTICE OF PROPOSED SETTLEMENT IN CPRI CLASS ACTION**

**To all persons who were admitted to CPRI during the period from September 1, 1963, until July 1, 2011 exclusive of any time for which an individual was an inpatient and resided in the Glenhurst or Pratten 1 units, and who were alive as of February 22, 2014:**

**Please read this notice carefully.**

**The Court authorized this notice. This is not a solicitation from a lawyer.**

A class action lawsuit regarding the Child and Parent Resource Institute ("CPRI")<sup>2</sup> in London, Ontario was started in the Ontario Superior Court of Justice. The class action relates to allegations that the Government of Ontario ("Ontario") operated CPRI in a way that fell short of legal standards of care and resulted in harm to some CPRI residents.

While no admission of liability is made and none of the allegations have been proven, Ontario has agreed to a settlement to make compensation available to class members who allege they suffered certain sexual assaults or physical assaults as an inpatient while admitted to CPRI during the period from September 1, 1963, until July 1, 2011 exclusive of any time for which an individual was an inpatient and resided in the Glenhurst or Pratten 1 units, and who were alive as of February 22, 2014. This settlement is conditional on the approval of the Court.

**An online hearing to determine if the proposed settlement is fair, reasonable and in the best interests of the Class Members is scheduled to take place on DATE.**

**What does the proposed settlement provide?**

If approved by the Court, the settlement will provide financial compensation to eligible Class Members who satisfy the requirements of the claims process.

If the Court approves the proposed settlement, you may make a claim for financial compensation. To do so, you will have to complete a **Claim Form** and send it to the claims administrator during the claims period. More information on how to make a claim will be available if the proposed settlement is approved.

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<sup>2</sup> Formerly known as the Children's Psychiatric Research Institute.

## What are your legal rights and options?

<b>1. Do nothing</b>	If you support the settlement agreement, you do not have to do anything right now. Please note that by doing nothing you will give up any right to object to the settlement.
<b>2. Object to the proposed settlement</b>	If you do not wish to attend the online hearing, but you would like to explain why you object to the settlement, you can complete an <b>Objection Form</b> . This form will include your name, address, and the reasons why you do not support the settlement. The Objection Form can be found at XXXXXXXXX. You must mail this Form to <b>XXXXXXXXXX</b> , or email it to XXXXXXXXX and it must be received or postmarked no later than <b>XXXXXXXXXX</b> .
<b>3. Participate at the online settlement hearing</b>	You can attend the online approval hearing at XXXXXXXXX to participate in the proceeding and/or voice your objection to the proposed settlement. The Court will decide if you will be permitted to make oral submissions at the time of the online hearing. However, in order to be eligible to participate, you must have completed and submitted an Objection Form setting out your reasons for objecting to the proposed settlement.

## What kind of compensation am I eligible for?

The settlement provides a fund of money that Class Members can make a claim against. The amount of money you can get depends on the type of harm you establish in your claim form as well as how many people make a claim.

More details regarding the compensation structure are in a document called the Settlement Agreement, which is available at [website].



# WHAT THIS NOTICE EXPLAINS

## **Basic information**

1. What is a class action?
2. What is this class action about?
3. Why is there a proposed settlement?

## **Who is included in the lawsuit and proposed settlement?**

4. Who is included in the proposed settlement?
5. What if I'm not sure whether I'm included in the lawsuit or proposed settlement?

## **What are the benefits of the settlement?**

6. What does the proposed settlement provide?
7. How will the lawyers be paid?

## **Who are the lawyers representing me?**

8. Who are the lawyers for the Representative Plaintiff and the Class Members?

## **What are my legal options?**

9. How do I tell the court if I dislike the proposed settlement?

## **What are the details of the approval hearing?**

10. When and where will the court decide whether to approve the proposed settlement?
11. Do I have to attend the hearing?
12. What if I do nothing?

## **Getting more information**

13. How do I get more information?

## BASIC INFORMATION

### What is a class action?

In a class action, one or more people called “**Representative Plaintiffs**” sue on behalf of people who have similar claims. All of the people who have similar claims are called a “**Class**” or “**Class Members**.” The court resolves the issues for everyone affected, except for those who excluded themselves from the lawsuit by opting out.

### What is this class action about?

This class action alleges that between 1963 and 2011 Ontario operated CPRI in a way that fell short of legal standards of care and caused harm to some CPRI residents.

### Why is there a proposed settlement?

By agreeing to the proposed settlement, the Representative Plaintiff, Class Members, and Ontario avoid the costs and risks of a trial and delays in obtaining a judgment. In particular, if approved by the Court, the proposed settlement agreement will guarantee financial compensation for eligible Class Members, while proceeding to trial without the settlement agreement leaves open the risk that the lawsuit will be unsuccessful and no compensation will be available to any Class Member.

In this case, the settlement also means that Class Members will **NOT** be required to testify in court.

The Representative Plaintiff and the lawyers representing the Representative Plaintiff believe that the proposed settlement is in the best interests of all Class Members.

## Who is included in the lawsuit and proposed settlement?

### Who is included in the proposed settlement?

The proposed settlement includes all persons, who were alive as of February 22, 2014, who were admitted to CPRI during the period from September 1, 1963, until July 1, 2011 exclusive of any time for which an individual was an inpatient and resided in the Glenhurst or Pratten 1 units. If you received outpatient services only, you are not included in this settlement.

If you opted out of this lawsuit, you are not included in the proposed settlement. The time to opt out of the class action was between December 22, 2016 and October 20, 2017. It is no longer possible to opt out of this lawsuit.

### What if I’m not sure whether I’m included in the lawsuit or proposed settlement?

There are people who can help you understand your legal rights and next steps. If you are not sure whether you are included in the proposed settlement, you may call Koskie Minsky or XXXXXXXXXXXX or visit XXXXXXXXXXXXXXXX or email XXXXXXXXXXXXXXXX:

## What are the benefits of the proposed settlement?

### What does the proposed settlement provide?

If approved, the settlement provides financial compensation for eligible Class Members who meet the requirements of the claims process by submitting a completed Claim Form and supporting documentation where required.

The settlement provides a fund of money that class members can make a claim against. The amount of compensation you may receive is dependent on the specifics of your claim and how many people make a claim.

More details are in a document called the proposed settlement agreement, which is available at XXXXXXX.

### How will the lawyers be paid?

The lawyers who are representing the Representative Plaintiff took on this lawsuit on a contingency basis, meaning that no fees have been charged at any stage of the lawsuit. The lawyers will not be paid until the Court declares that the proposed legal fees are fair and reasonable.

The lawyers will ask for approval of fees in the amount of \$2.75 million, plus repayment of reasonable disbursements and applicable tax. The Court will consider whether these amounts are fair and reasonable, and will decide the value of fees and disbursements to award.

## Who are the lawyers representing me?

### Who are the lawyers for the Representative Plaintiff and Class Members?

The lawyers for the Representative Plaintiff and Class Members are Koskie Minsky LLP of Toronto, Ontario.

You are welcome to seek legal advice from these lawyers concerning the settlement and your claim at any time and at no cost to you. If you want to be represented by or receive advice from another lawyer, you may hire one at your own expense to appear in court for you.

## What are my legal options?

### How do I tell the court if I object to the proposed settlement?

There are two ways to voice your opinion about the proposed settlement:

<b>1. Object to the proposed settlement</b>	If you do not wish to attend the online hearing, but you would like to object to the settlement, you can also complete an Objection Form. This form will include: <ul style="list-style-type: none"><li>) Your name, address, and telephone number;</li><li>) A statement saying that you object to the proposed settlement;</li><li>) The reasons you object to the proposed settlement, along with any supporting materials; and</li><li>) Your signature.</li></ul>
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	The Objection Form can be found XXXXXXXXXXXXXXXX. You must mail this Form to XXXXXXXXXXXXXXXX, or email it to XXXXXXXXXXXX and it must be received or postmarked no later than XXXXXXXXXXXX. Completed Objection Forms will be provided to the Court.
<b>2. Participate at the settlement hearing</b>	You can attend the online approval hearing to participate in the proceeding and voice your objection to the proposed settlement. The Court will decide if you will be permitted to speak at the hearing. However, in order to be eligible to participate, you must have completed and submitted an Objection Form on time setting out your reasons for objecting to the proposed settlement.

## What are the details of the Approval Hearing?

The Court will hold an online hearing to decide whether to approve the proposed settlement and the request for Plaintiff’s counsel’s legal fees, disbursements and taxes (the “Approval Hearing”).

### When and where will the court decide whether to approve the proposed settlement?

The Online Approval Hearing will take place on **DATE**.

The hearing date may be moved to different dates or times without additional notice. Please check XXXXXXXXXXXXXXXX or call XXXXXXXXXXXXXXXX in advance to get details and instructions on how to attend the online hearing..

At the online hearing, the Court will consider whether the proposed settlement is fair, reasonable, and in the best interests of the Class.

After the hearing, the Court will decide whether to approve the proposed settlement and the lawyers’ legal fees. We do not know how long these decisions will take.

### Do I have to attend the hearing?

No. The lawyers representing the Representative Plaintiff will answer questions from the Court. However, you or your own lawyer are welcome to participate at your own expense. If you submit an Objection Form on time, the Court will consider it and you do not have to come to the Court to talk about it. You may also have your own lawyer attend at your own expense, but it is not necessary.

### What if I do nothing?

If you do nothing, the Approval Hearing will proceed, and the Court will consider whether the proposed settlement is fair, reasonable, and in the best interests of the Class without your views on the matter.

## GETTING MORE INFORMATION

## **How do I get more information?**

This notice summarizes the proposed settlement. More details are in the settlement agreement. You can get a copy of the agreement at XXXXXX. You can send your questions to **XXXXXXXXXXXXXXXXXX**, or by email at XXXXXXXXXXXXX. You may also call the toll-free number XXXXXXXXX.

You may also seek legal advice from Class Counsel concerning the proposed settlement and your claim at no cost to you. You can send your questions to Koskie Minsky XXXX, or by email at XXXX. You may also call the toll-free number XXX.

*This notice was approved by the Ontario Superior Court of Justice*

**NOTICE OF PROPOSED SETTLEMENT IN CPRI CLASS  
ACTION**

To all persons who were admitted to the Child and Parent Resource Institute (CPRI) during the period from September 1, 1963, until July 1, 2011 exclusive of any time for which an individual was an inpatient and resided in the Glenhurst or Pratten 1 units, and who were alive as of February 22, 2014.

**A proposed settlement has been reached between the parties. While no admission of liability is made and none of the allegations have been proven, this settlement, if approved, will make compensation available to class members who allege they suffered certain sexual assaults or physical assaults while admitted to CPRI.**

If you opted out of the class action, the settlement will not impact you.

There will be an online court hearing on **DATE** to decide whether the proposed settlement of the lawsuit should be approved. The hearing will take place virtually.

Compensation to Class Members is not yet available. If the court approves the settlement and you are part of the lawsuit as a Class Member, you can then make a claim for compensation.

To obtain further information, please visit [**insert website**] or contact Epiq at **1-000-000-0000**, or by email at **000000000@Epiq.ca**.

The lawyers acting for the class are Koskie Minsky LLP. You may also contact Koskie Minsky LLP at 1-844-819-8523 or by email at [cpriclassaction@kmlaw.ca](mailto:cpriclassaction@kmlaw.ca).

If you approve of the settlement and want it to proceed so you can claim money, you do not need to take any steps. If you want to object to the settlement, you must send an objection to Epiq by **DATE**.

### **Schedule "C" - Publications List**

National Post; Globe & Mail; Toronto Star; Ottawa Citizen; Belleville Intelligencer; Kingston Whig Standard; Napanee Guide; Brampton Guardian; Burlington Post/Flamborough Review; Caledon Citizen; Cambridge Times: Georgetown/Acton Ind. Free Press; Glanbrook Gazette; Grimsby/Lincoln/West Lincoln; Guelph Tribune; Hamilton Spectator; King Weekly Sentinel; Waterloo Record; Markham Economist & Sun; Milton Canadian Champion; Mississauga News; Oakville Beaver; Metro London; Metro Ottawa; Metro Toronto; Vaughan Citizen; Alexandria Glengarry News; Arnprior Chronicle-Guide; Chesterville Record;; Smiths Falls Record News; Winchester Press; Ayr News; The Brantford Expositor; Exeter Lakeshore Times-Journal; London, The Londoner; Norwich Gazette St. Thomas Times-Journal; Strathroy Age Dispatch; Tavistock Gazette; Tillsonburg Independent News; West Lorne West Elgin Chronicle; Pembroke/Petawawa News; Peterborough Examiner; Cornwall Standard Freeholder; Kenora Daily Miner; Owen Sound Sun Times; Chatham Daily News; North Bay Nugget; Woodstock Sentinel-Review; Orangeville Citizen; Brockville Recorder; St. Catharines Standard;; Stratford Beacon Herald; Sarnia Observer; Sudbury Star; The Review; Windsor Star; and Thunder Bay Chronicle-Journal;

### **Schedule "D" – Agency List**

1. Aboriginal Legal Services Inc
2. Alderville First Nation
3. Algonquin Child and Family Services (now known as Hands)
4. Algonquins of Pikwakanagan First Nation
5. Alice Saddy Association
6. Almaguin Highlands Community Living
7. Anago (Non) Residential Resources Inc
8. Anishinaabe Abinoojii Family Services
9. Aptus Treatment Centre
10. Ariss Place Residential Care and Treatment Inc
11. Assisted Living Southwestern Ontario
12. Asubpeeschoseewagong Netum Anishnabek First Nation (also known as Grassy Narrows First Nations)
13. Atlohsa Native Family Healing Services Inc
14. Autism Services Incorporated Of Windsor & Essex County
15. Bairn Croft Residential Services Inc
16. Beausoleil First Nation
17. Beth Tikvah Foundation Of Hamilton
18. Bethesda Community Services Inc
19. Blue Door Shelters
20. Bob Rumball Associations For The Deaf (now Bob Rumball Canadian Centre of Excellence for the Deaf)
21. Brampton-Caledon Community Living
22. Brockville & Area Community Living Association
23. Brockville & District Assoc for Community Involvement/Special Needs
24. Bruce Grey Child And Family Services
25. Bruce Peninsula Association For Community Living
26. Camphill Communities Ontario Inc
27. Canadian Mental Health Association – Middlesex
28. Canadian Mental Health Association Waterloo Wellington Dufferin Branch
29. Catholic Family Services Of Durham
30. Catholic Family Services Of Hamilton
31. Catulpa Community Support Services Inc
32. Cedar Centre
33. Central West Specialized Developmental Services
34. Chimo Youth and Family Services
35. Chippewas Of Georgina Island
36. Chippewas Of Nawash Unceded First Nation
37. Chippewas Of Rama First Nation
38. Chippewas Of Saugeen First Nation
39. Christian Horizons - West District
40. Christian Horizons - South District
41. Christian Horizons - North District
42. Christian Horizons - East District (Ottawa and Kingston)
43. Christian Horizons - Central District (Toronto)
44. Christian Horizons - Central East District (Cobourg, Port Hope, Lindsay, Peterborough and the Durham Region)
45. Community Living - North Frontenac
46. Community Living - South Huron
47. Community Living - Stormont County
48. Community Living Access Support Services (Norfolk)
49. Community Living Ajax-Pickering And Whitby
50. Community Living Algoma
51. Community Living Association For South Simcoe
52. Community Living Association Of Fort Erie
53. Community Living Association Of Lanark County
54. Community Living Mississauga
55. Community Living Atikokan
56. Community Living Belleville And Area
57. Community Living Brant
58. Community Living Burlington
59. Community Living Cambridge
60. Community Living Campbellford/Brighton
61. Community Living Chatham-Kent
62. Community Living Dryden-Sioux Lookout
63. Community Living Dufferin
64. Community Living Dundas County
65. Community Living Durham North
66. Community Living Elgin
67. Community Living Espanola
68. Community Living Essex County
69. Community Living Fort Frances And District
70. Community Living Georgina
71. Community Living Glengarry Inc
72. Community Living Greater Sudbury
73. Community Living Grimsby Lincoln & West Lincoln
74. Community Living Guelph Wellington
75. Community Living Haldimand
76. Community Living Haliburton County (Trent Highlands)
77. Community Living Hamilton
78. Community Living Hanover And Area Harc Inc
79. Community Living Huntsville
80. Community Living Huronia
81. Community Living Iroquois Falls



82. Community Living Kawartha Lakes (Trent Highlands)
83. Community Living Kincardine And District
84. Community Living Kingston And District
85. Community Living Kirkland Lake
86. Community Living Lennox & Addington
87. Community Living London
88. Community Living Manitoulin
89. Community Living Mattawa
90. Community Living Meaford
91. Community Living Newmarket/Aurora District
92. Community Living North Bay
93. Community Living North Grenville
94. Community Living North Halton
95. Community Living North Perth
96. Community Living Oakville
97. Community Living Ontario
98. Community Living Oshawa/Clarington
99. Community Living Owen Sound And District
100. Community Living Parry Sound
101. Community Living Peterborough (Trent Highlands)
102. Community Living Port Colborne Wainfleet
103. Community Living Prince Edward
104. Community Living Quinte West
105. Community Living Renfrew County South
106. Community Living Sarnia-Lambton
107. Community Living Six Nations "Ronatahsrats"
108. Community Living South Muskoka
109. Community Living St Catharines
110. Community Living St. Marys And Area
111. Community Living Stratford And Area
112. Community Living Temiskaming South
113. Community Living Thunder Bay
114. Community Living Tillsonburg
115. Community Living Timmins Integration Communautaire
116. Community Living Toronto
117. Community Living Upper Ottawa Valley
118. Community Living Walkerton And District
119. Community Living Wallaceburg
120. Community Living Welland Pelham
121. Community Living West Nipissing
122. Community Living West Northumberland
123. Community Living Windsor
124. Community Living Wingham & District
125. Community Living York South
126. Community Living-Central Huron
127. Community Services Coordination Network (Ontario)
128. Curve Lake First Nation
129. De Dwa Da Dehs Nye's Aboriginal Health Centre
130. Deafblind Ontario Services
131. Dilico Anishinabek Family Care
132. Dnaagdawenmag Binnoojiiyag Child And Family Services
133. Dokis First Nation
134. Elmira District Community Living
135. Family Services Of Peel
136. Family Services Perth-Huron
137. Family Services Windsor-Essex
138. Family Services York Region
139. Forward House Of London
140. Ganohkwasra Family Assault Support Services
141. Georgian Bay Native Friendship Ctr
142. Good Shepherd Centre Hamilton
143. Group Home for Deaf-Blind Persons (Brantford) Inc (now Lions McInnes House)
144. Harmony Place Support Services
145. Hatts Off Inc
146. Henvey Inlet First Nation
147. HIA - Harmony In Action Windsor
148. Hiawatha First Nation
149. Hutton House Association For Adults With Disabilities
150. Ingersoll Support Services Inc
151. Integration Communautaire Hearst Community Living
152. James Bay Association For Community Living
153. Jewish Social Services Of Hamilton Inc (Hamilton Jewish Family Services)
154. Kerry's Place Autism Services
155. Keystone Child Youth & Family Services
156. Kina Gbezhgomi Child And Family Services
157. Kitchener-Waterloo Counselling Services Incorporated
158. Kitchener-Waterloo Young Men's Christian Association (now YMCAs of Cambridge & Kitchener-Waterloo)
159. Kunuwanimano Child And Family Services
160. Lambton County Developmental Services
161. L'arche (Stratford)
162. L'arche Arnprior
163. L'arche Daybreak
164. L'arche Hamilton
165. L'arche London
166. L'Arche Toronto Homes
167. London Family Court Clinic Inc
168. Lutherwood
169. Madawaska Valley Association For Community Living
170. Mennonite Community Services Of Southern Ontario
171. Middlesex Community Living
172. Mississaugas Of Scugog Island First Nation
173. Mississaugas Of The New Credit First Nation
174. Mnaasged Child And Family Services
175. Mohawk Council of Akwesasne
176. Mohawks Of The Bay Of Quinte
177. Montage Support Services

- 178. Moose Deer Point First Nation
- 179. Naotkamegwaning First Nation
- 180. Native Child And Family Services Of Toronto
- 181. New Frontiers Support Services - London Middlesex
- 182. New Leaf Living & Learning Together Inc
- 183. Niagara Centre For Independent Living
- 184. Niagara Regional Native Centre
- 185. Nipissing First Nation
- 186. Nog-Da-Win-Da-Min Family and Community Services
- 187. Noojmowin Teg Health Centre
- 188. Norfolk Association For Community Living
- 189. North East Association For Community Living/Association Pour Integration Communautaire du Nord-Est
- 190. Northumberland Family Respite Services Inc
- 191. Oakdale Child & Family Services Ltd
- 192. Operation Springboard (Springboard Services)
- 193. Ottawa-Carleton Association For Persons With Developmental Disabilities (OCAPDD)
- 194. Parents For Community Living Kitchener Waterloo Inc
- 195. Parents Of Technologically Dependent Children Of Ontario (now Kids Country Club - London)
- 196. Parents Of Technologically Dependent Children Of Ontario (now Kids Country Club - Cambridge)
- 197. Participation House Support Services - London And Area
- 198. Pathstone Mental Health
- 199. Pegasus Community Project For Adults With Special Needs
- 200. Plainfield Community Homes
- 201. Quad County Support Services
- 202. Rapport Youth & Family Services
- 203. Rotary (Don Valley) Cheshire Homes
- 204. Rygiel Supports for Community Living
- 205. Safehaven Project For Community Living
- 206. Shawanaga First Nation
- 207. Simcoe Muskoka Child Youth And Family Services (O/A Simcoe Muskoka Family Connexions)
- 208. Sioux Lookout First Nations Health Authority
- 209. Six Nations Of The Grand River
- 210. South-East Grey Support Services
- 211. Southwest Ontario Aboriginal Health Access Centre (Soahac)
- 212. St Francis Advocates For The Autistic & Developmentally Disabled (Sarnia) Inc
- 213. St Leonard's Community Services
- 214. St Mary's Home
- 215. St Stephen's Residences Of Ottawa Inc
- 216. Sunbeam Centre
- 217. Superior Greenstone Association For Community Living
- 218. Tayside Community Residential & Support Options
- 219. Temagami First Nation
- 220. The Lifeskills Centre Inc
- 221. Tikinagan Child And Family Services
- 222. Torchlight Industries (Torchlight Services)
- 223. Toronto Council Fire Native Cultural Centre
- 224. Tri-County Mennonite Homes
- 225. Vita Community Living Services Of Toronto Inc
- 226. Wabano Centre For Aboriginal Health Inc
- 227. Wabaseemoong Independent Nations
- 228. Wahta Mohawks
- 229. Walpole Island First Nation
- 230. Wasauksing First Nation
- 231. Ways Mental Health Support
- 232. Weechi-It-Te-Win Family Services Inc
- 233. White Owl Native Ancestry Assoc
- 234. Wikwemikong Unceded Indian Reserve

**Schedule "E" – Objection Form**

**OBJECTION FORM**

**CPRI Class Action**

**ONLY USE THIS FORM IF YOU WANT TO OBJECT TO THE PROPOSED SETTLEMENT**

SEND YOUR OBJECTION FORM TO: mail and email address [Notice Provider]

Your objection should be delivered to the Notice Provider by **XXX**.

My name is

---

I am an (please specify):

- Individual who was admitted to CPRI during the period from September 1, 1963, until July 1, 2011 and resided in a unit other than the Glenhurst or Pratten 1 units.
- I represent the estate of an individual who was alive as of February 22, 2014, and was admitted to CPRI during the period from September 1, 1963, until July 1, 2011 and resided in a unit other than the Glenhurst or Pratten 1 units.

I object to the terms of the Proposed Settlement.

I am objecting to the Proposed Settlement for the following reasons (please attach extra pages if you require more space):


<input type="checkbox"/>	I have enclosed copies of documentation supporting my objection. (You do not have to attach any documents.)
<input type="checkbox"/>	I have NOT enclosed documentation supporting my objections and I do not intend to provide any.
<input type="checkbox"/>	I do NOT intend to appear at the hearing of the motion to approve the proposed settlement, and I understand that my objection will be filed with the court prior to the hearing of the motion on XXXXXXXXXXXX, 2021.
<input type="checkbox"/>	I intend to appear, in person or by counsel, and to make submissions at the hearing on XXXXXXXXXXXX.

MY ADDRESS FOR SERVICE IS:

MY LAWYER'S ADDRESS FOR SERVICE IS (if applicable, but you do not need a lawyer to object):

Name:

Name:

Address:

Address:

Tel.:

Tel.:

Fax:

Fax:

Email:

Email:

Date:

Signature:

**KM-4793015v2**

Schedule "F" – Notice of Settlement Approval

**NOTICE OF SETTLEMENT IN CPRI CLASS ACTION**

**To all persons who were admitted to CPRI during the period from September 1, 1963, until July 1, 2011 exclusive of any time for which an individual was an inpatient and resided in the Glenhurst or Pratten 1 units, and who were alive as of February 22, 2014:**

**Please read this notice carefully.**

**The Court authorized this notice. This is not a solicitation from a lawyer.**

There was a lawsuit about the Child and Parent Resource Institute also known as the Children's Psychiatric Research Institute ("CPRI"). That lawsuit is now over and there is money available for class members who file a claim and meet the requirements set out in the claims process.

This notice explains how to make a claim for compensation from the settlement if you were harmed. **If you do nothing, you will not get any money.**

**Please read carefully or ask for help from someone you trust.**

**Do you know someone who lived at CPRI? Please share this information with them or their support person.**

**To learn more about this settlement go to:  
XXXXXXXXXXXX**

# WHAT THIS NOTICE EXPLAINS

## Basic Information

1. Why did I get this notice?
2. What is a class action?
3. What is this class action about?
4. Why is there a settlement?

## Who is included in the settlement?

5. Who is included in the settlement?
6. What if I'm not sure whether I'm included in the settlement?

## What are the benefits of the settlement?

7. What does the settlement say?
8. I was harmed while I was admitted to CPRI. How much money could I get?
9. How does the claims office decide how much money to give me?
10. Will I lose social assistance if I get settlement money?
11. How do I show this money in my income tax? Do I pay tax on it?
12. Can I get out of the settlement now?

## How do I ask for money from the settlement?

13. How can I ask for money from the settlement?
14. Should I send anything else with the Claim Form?
15. Can I get help with my Claim Form?
16. When do I get the money?
17. What if the claims office says I cannot get any money?
18. I want the claims office to look at my form again. What is the deadline to ask for that?
19. What if I do not get enough money?

## Who are the lawyers representing you?

20. Who are the lawyers for the Representative Plaintiff and the Class Members?

21. How will the lawyers be paid?

## Getting more information

22. How do I get more information?

## Basic information

### 1. Why did I get this notice?

You got this notice because you may have been admitted to CPRI between September 1, 1963, and July 1, 2011.

The Court said you should get this information about the lawsuit and your legal rights.

While not admitting liability, and without the Court making any determinations, Ontario has agreed to a settlement which will provide compensation to eligible persons who claim they suffered certain sexual assaults or physical assaults while admitted to CPRI during the period from September 1, 1963, until July 1, 2011 exclusive of any time for which an individual was an inpatient and resided in the Glenhurst or Pratten 1 units, and who were alive as of February 22, 2014.

On **DATE**, the Court approved this settlement. There is now a process for making claims for compensation according to the settlement agreement.

If you received this notice, you or someone you know may have legal rights and interests that are affected by the settlement agreement. This notice explains what is happening and what your legal options are.

### 2. What is a class action?

In a class action, one or more people called “**Representative Plaintiffs**” sue on behalf of people who have similar claims. All of the people who have similar claims are called a “**Class**” or “**Class Members**.” The court resolves the issues for everyone affected, except for those who excluded themselves from the lawsuits by opting out.

### **3. What is this class action about?**

The class action relates to allegations that Ontario operated CPRI in a way that fell short of legal standards of care and caused harm to some CPRI residents.

Ontario has not admitted liability, but has agreed to a settlement that has now been approved by the Court.

### **4. Why is there a settlement?**

By agreeing to the settlement, the Representative Plaintiff, Class Members, and Ontario have avoided the risks of a trial and delays in obtaining a judgment. In particular, the proposed settlement agreement will provide financial compensation for eligible Class Members whose claims meet the requirements of the claims process. Proceeding to trial would have left open the risk that the lawsuit would be unsuccessful and no compensation would be available to any Class Member.

In this case, the settlement also means that no Class Members will need to testify in court in order to receive financial compensation.

### **Who is included in the settlement?**

#### **5. Who is included in the Settlement?**

The settlement includes all persons, who were alive as of February 22, 2014, who were admitted to CPRI as an inpatient during the period from September 1, 1963, until July 1, 2011 exclusive of any time for which an individual was an inpatient and resided in the Glenhurst or Pratten 1 units.

All Class Members except those who validly opted out of the lawsuit are eligible to apply for settlement benefits, are bound by the court approved settlement agreement and will be covered by the releases in the settlement agreement.

If you opted out of this lawsuit, you are not included in the settlement. The time to opt out of the class action was between December 22, 2016 and October 20, 2017. It is no longer possible to opt out of this lawsuit.

#### **6. What if I'm not sure whether I'm included in the settlement?**

There are people who can help you understand your legal rights and next steps. If you are not sure whether you are included in the settlement, you may call XXXXXXXXXXXX or visit XXXXXXXXXXXXXXXX or email XXXXXXXXXXXXXXXX:

### **What are the benefits of the settlement?**

#### **7. What does the settlement provide?**

The settlement provides financial compensation for eligible Class Members whose claims satisfy the claims process as set out below. .



Ontario agreed to pay up to twelve million dollars to settle the lawsuit. The Court approved payment of legal fees, disbursements, and taxes to the lawyers representing the Representative Plaintiff of xxx.

**8. I suffered physical or sexual assault when I lived at CPRI. How much money could I get?**

The settlement agreement states that different amounts of compensation will be paid to Class Members depending on what happened to them. The table below explains the different categories and levels of harm for which compensation may be awarded under the claims process:

<b>Category and Level of Harm</b>	<b>Description of Harm</b>
<b><u>Sexual Assault</u></b>	
<u>Level 3 Sexual Assault</u>	) One or more incidents of non-consensual oral, vaginal or anal penetration on a Claimant while the Claimant was admitted to CPRI
<u>Level 2 Sexual Assault</u>	) Repeated non-consensual sexual touching of a Claimant, while the Claimant was admitted to CPRI, of the Claimant's breasts, genitals or buttocks that was not non-consensual oral, vaginal or anal penetration;  OR  ) A single non-consensual act of forcible sexual touching to attempt oral, vaginal, or anal penetration of a Claimant while the Claimant was admitted to CPRI
<u>Level 1 Sexual Assault</u>	) Any sexual touching or exposure of genitals by a staff member employed by CPRI on or toward a Claimant, or any sexual touching or exposure of genitals carried out by a Claimant at the direction of staff, while the claimant was admitted to CPRI

<b><u>Physical Assault</u></b>	
<u>Physical Assault</u> ○	<p>) Physical assault(s) on a Claimant, while the claimant was admitted to CPRI, causing a serious physical injury that led to:</p> <ul style="list-style-type: none"> <li>○ hospitalization;</li> <li>○ permanent or demonstrated long term physical or psychological injury (other than PTSD or any form of anxiety disorder), impairment or disfigurement;</li> <li>○ broken or fractured bones; OR</li> <li>○ a serious but temporary incapacitation such that bed rest or infirmary care at CPRI of four or more days duration was required.</li> </ul>

You can claim compensation for one level of sexual assault as well as physical assault. You cannot claim compensation for more than one level of sexual assault. You will receive compensation based on the highest level of sexual assault set out in your claim.

You can claim compensation for both sexual assault and physical assault if the specific harms set out in the Table above occurred in a single incident.

The potential amount of money each eligible Class Member whose claim is accepted will range from \$3,500 to \$45,000. If the total amount of payments to Class Members exceeds the total maximum available to compensate Class Members, all payments to Class Members will be reduced on a proportionate or *pro rata* basis so that the compensation paid to Class Members does not exceed the amount available.

More detailed information about Class Member eligibility and compensation can be found in the settlement agreement, which is available here: [xxxxxx](#)

**9. How does the claims office decide how much money to give me?**

The claims office will review your Claim Form to ensure you are eligible and to confirm that you meet the requirements of the claims process. The Defendant may review your file and submit documents to the claims office that are relevant to your claim. Class Counsel may then provide further documentation from your file to respond on your behalf.

Provide as much detail and information as you remember in relation to the incidents of harm you are saying happened to you. It is okay if you do not remember details but provide as much information as you can.

There are many kinds of harm. This settlement provides compensation for harms relating to sexual assault and physical assault as set out in the table above.

The settlement sets out the levels and types of harm that are eligible for compensation. The claims office reads your Claim Form and will award compensation based on their assessment of which level and type of harm may apply to your claim.

### **10. Will I lose social assistance if I get settlement money?**

No. This settlement does not affect social assistance from the Ontario government. Social assistance includes the Ontario Disability Support Program (ODSP) and Ontario Works. Settlement money should not change the kind of Ontario social assistance you get, how much you get, or how long you get it.

### **11. How do I show this money in my income tax? Do I pay tax on it?**

You are getting the money because you were harmed or hurt at CPRI. Make sure to write on your taxes that this money is for pain and suffering. There should be no tax on money for pain and suffering.

### **12. Can I get out of the settlement now?**

No. It is too late to get out of the settlement. The deadline has already passed. You had to get out by October 20, 2017.

If you got out before the deadline, then you cannot ask for money from the settlement.

## **How do I ask for money from the settlement?**

### **13. How can I ask for money from the settlement?**

You must fill in a Claim Form and send it to the claims office by XXXX DATE. You can get the form at [www.0000000.ca](http://www.0000000.ca). You can also call 1-866-000-0000 to ask for the form. TTY users can call 1-877-000-0000.

The form gives instructions. Please read them carefully. Ask for help if you do not understand. Then complete the Claim Form, attach any required documents, and send it to the claims office.

There is no requirement that you request or use your inpatient file to make a claim. Simply set out the information you already know relating to any incident(s) in which you were harmed.

#### **14. Should I send anything else with the Claim Form?**

Please read the Claim Form carefully. The documents you may need to submit depend on the level of harm you suffered.

You DO NOT need to ask for your file from CPRI or send in your file from CPRI as part of your claim.

You may NEED to include a note from a doctor, social worker or counsellor. If you need help understanding what documents to include, contact XXXX.

#### **15. Can I get help with my Claim Form?**

Yes. Your support person or anyone else can help you fill in the form. If you have a legal guardian, they can make a claim on your behalf.

You can also call for help:

- Phone 1-866-000-0000
- TTY 1-877-000-0000

And you can get help online at [www.0000000000000000.ca](http://www.0000000000000000.ca)

#### **16. When do I get the money?**

You must send in your form by [DEADLINE]. The claims office will make a decision on your claim and determine if you will receive compensation. All compensation for claims will be made by cheque to the Class Member who made the claim or to his/her legal guardian.

The office needs time to make a decision on all the claims before any compensation is provided to anyone. This is also why the deadlines are important as everyone waits for all claims to be processed. This can take many months. Please be patient.

#### **17. What if the claims office decides my claim does not get compensation?**

If the claims office decides you cannot get any compensation, they will send you a letter or an email. You can add more information to your Claim Form and ask the office to look at it again. But you must send the information right away because there is a deadline.

#### **18. I was told I was not receiving any compensation and I want the claims office to look at my form again. What is the deadline to ask for that?**

Check the date on the letter or email from the claims office. You must respond and ask for a reconsideration within 21 days of that date. If the deadline is unclear to you ask for help.

### **19. What if I do not get enough money?**

The claims office will decide how much money to send you. They decide based on the rules in the settlement. The claims office will advise you if you are entitled to request a reconsideration. You cannot argue about the amount of money given for each level of harm. It is a good idea to **write as much information as you are aware of in your claim.**

### **Who are the lawyers representing me?**

#### **20. Who are the lawyers for the Representative Plaintiff and Class Members?**

The lawyers for the Representative Plaintiff and Class Members are Koskie Minsky LLP of Toronto, Ontario.

You are welcome to seek legal advice from these lawyers concerning the settlement and your claim at any time and at no cost to you. If you want to be represented by or receive advice from another lawyer, you may hire one at your own expense.

Koskie Minsky can be contacted by email at:

cpriclassaction@kmlaw.ca

Or you can call Koskie Minsky at:

1-844-819-8523

#### **21. How will the lawyers be paid?**

The lawyers who are representing the Representative Plaintiff took on this lawsuit on a contingency basis, meaning that no fees were charged at any stage of the lawsuit.

At the hearing to approve the settlement agreement, the lawyers asked the Ontario Superior Court of Justice to approve legal fees, disbursements, and taxes in the amount of **xxx**. The Court determined that this amount was fair and reasonable. This amount was subtracted from the amount paid by Ontario to settle the lawsuit.

### **Getting more information**

#### **22. How do I get more information?**

This notice summarizes the settlement agreement and the process for submitting a claim.

You can find more details about the settlement and the claims process in the settlement agreement. You can get a copy of the agreement at XXXXXX. You can send your questions to **XXXXXXXXXXXXXXXXXX**, or by email at XXXXXXXXXXXXXXXX. You may also call the toll-free number XXXXXXXXXXXX.

You may also seek legal advice from the lawyers for the Representative Plaintiff and the Class Members concerning the settlement and your claim at no cost to you.

*This notice was approved by the Ontario Superior Court of Justice*

**NOTICE OF SETTLEMENT IN CPRI CLASS ACTION**

**To all persons who were admitted to the Child and Parent Resource Institute ("CPRI") during the period from September 1, 1963, until July 1, 2011 exclusive of any time for which an individual was an inpatient and resided in the Glenhurst or Pratten 1 units, and who were alive as of February 22, 2014**

**The Court has approved a settlement which provides compensation to eligible class members who file a claim for sexual assault or physical assault and meet the requirements of the claims process.**

If you opted out of the class action, the settlement will not impact you.

The Court has approved a settlement agreement for the CPRI class action lawsuit.

If you are part of the lawsuit as a Class Member, you can submit a claim for a payment of money as compensation. The amount of money that you may receive will depend on the specifics of the claim you submit. The potential amount of money to be paid to a Class Member whose claim is accepted will likely range from \$3,500 to \$45,000.

For more information about making a claim, please visit [insert website] or contact Epiq at 1-000-000-0000, or by email at 000000000@Epiq.ca.

The lawyers who are representing the Class Members are Koskie Minsky LLP. You may also contact Koskie Minsky LLP at 1-844-819-8523 or by email at [cpriclassaction@kmlaw.ca](mailto:cpriclassaction@kmlaw.ca).

You must submit your claim for compensation before **DATE**. If you do not submit your claim for compensation before **DATE**, you will lose your right to compensation.

## Schedule "H" – Press Release

### **Settlement Proposed in Class Action on Behalf of Inpatients at the Child and Parent Resource Institute**

TORONTO, February ●, 2021 - A proposed settlement has been reached in a class action lawsuit against the Province of Ontario on behalf of individuals admitted to the Child and Parent Resource Institute ("CPRI") in London, Ontario. The action was certified as a class proceeding on December 22, 2016.

The lawsuit alleged that between 1963 and 2011, the inpatients at CPRI suffered various harms, including injuries resulting from the wrongful acts of their peers, and that the Province owed a duty to supervise and failed to adequately ensure the safety of those individuals admitted. The Province denies these claims and a Court has not decided whether the Class or the Province is right. Instead, both sides have agreed to a settlement.

If the Settlement Agreement is approved by the Court, it will provide a claims process through which eligible class members may make a claim for compensation.

A virtual settlement approval hearing will be held by the Court. At this hearing, the Court will consider whether the settlement is fair, reasonable, and in the best interests of the Class, and whether to approve the Settlement Agreement.

Notice of the settlement approval hearing will be provided to class members. The Court will determine the process and timing of the notice.

More information is available on Class Counsel's website: [www.kmlaw.ca/cases/XXX](http://www.kmlaw.ca/cases/XXX) or by contacting them at 1.866.778.7985, or by email at [XXX@kmlaw.ca](mailto:XXX@kmlaw.ca).

SOURCE Koskie Minsky LLP

For further information: For all media enquires please contact Adam Tanel, 416-595-2072

RELATED LINKS

[www.kmlaw.ca](http://www.kmlaw.ca)