

# 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>1</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 June 23, 2021.**

## **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>1</sup> Formerly known as the Children's Psychiatric Research Institute.

## What are your legal rights and options?

1. <b>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.
2. <b>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 <a href="https://cpriclassaction.ca">https://cpriclassaction.ca</a> . You must mail this Form to Epiq Class Action Services Canada Inc., Attention: CPRI Class Action, PO Box 507 STN B, Ottawa, ON, K1P 5P6, or email it to <a href="mailto:info@cpriclassaction.ca">info@cpriclassaction.ca</a> and it must be received or postmarked no later than <b>May 26, 2021</b> .
3. <b>Participate at the online settlement hearing</b>	You can attend the online approval hearing on June 23, 2021 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 <https://cpriclassaction.ca>.

# WHAT THIS NOTICE EXPLAINS

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## BASIC INFORMATION

### 1. 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.

### 2. 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.

### 3. 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?

### 4. 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.

## **5. 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 at 1-844-819-8523 or visit <https://kmlaw.ca/cases/cpri-class-action/> or email [cpriclassaction@kmlaw.ca](mailto:cpriclassaction@kmlaw.ca).

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

### **6. 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 <https://cpriclassaction.ca>.

### **7. 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?**

### **8. 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?

### 9. 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> The Objection Form can be found at <a href="https://cpriclassaction.ca">https://cpriclassaction.ca</a> . You must mail this Form to Epiq Class Action Services Canada Inc., Attention: CPRI Class Action, PO Box 507 STN B, Ottawa, ON, K1P 5P6, or email it to <a href="mailto:info@cpriclassaction.ca">info@cpriclassaction.ca</a> and it must be received or postmarked no later than <b>May 26, 2021</b> . Completed Objection Forms will be provided to the Court.
<b>2. Participate at the settlement hearing</b>	You can attend the online approval hearing on June 23, 2021 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").

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

The Online Approval Hearing will take place on June 23, 2021.

The hearing date may be moved to different dates or times without additional notice. Please check <https://cpriclassaction.ca> or call 1-866-640-9989 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.

### **11. 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.

### **12. 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**

### **13. 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 <https://cpriclassaction.ca>. You can send your questions to Epiq Class Action Services Canada Inc., Attention: CPRI Class Action, PO Box 507 STN B, Ottawa, ON, K1P 5P6, or by email at [info@cpriclassaction.ca](mailto:info@cpriclassaction.ca). You may also call the toll-free number 1-866-640-9989.

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, 20 Queen Street West, Suite 900, Box 52, Toronto, ON, M5H 3R3, Attention: CPRI Class Action, or by email at [cpriclassaction@kmlaw.ca](mailto:cpriclassaction@kmlaw.ca). You may also call the toll-free number 1-844-819-8523.