

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:

<https://cpriclassaction.ca>

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 July 21, 2021, 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 1-866-640-9989 or visit <https://cpriclassaction.ca> or email info@cpriclassaction.ca.

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 \$3,219,392.32.

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:

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

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: <https://cpriclassaction.ca/documents.html>.

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 **May 24, 2022**. You can get the form at <https://cpriclassaction.ca>. You can also call 1-866-640-9989 to ask for the form. TTY users can call 1-877-627-7027.

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 1-866-640-9989.

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 1-866-640-9989
- TTY 1-877-627-7027

And you can get help online at <https://cpriclassaction.ca>.

16. When do I get the money?

You must send in your form by **May 24, 2022**. 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 \$3,219,392.32. 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 <https://cpriclassaction.ca/documents.html>. 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. You may also call the toll-free number 1-866-640-9989.

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.