

# NOTICE OF CLASS ACTION CERTIFICATION, SETTLEMENT APPROVAL, AND COUNSEL FEE APPROVAL

## *REDUBLO ET AL. V. 8262900 CANADA INC O/A CAREPARTNERS CLASS ACTION*

### **PLEASE READ THIS NOTICE CAREFULLY, IT MAY AFFECT YOUR RIGHTS.**

This Notice is for **all persons who are or were patients, non-unionized employees or contractors of CarePartners from January 1, 2010, to June 11, 2018, excluding (i) the defendant's officers and directors; and (ii) any person who validly opts out of the Class Action (the "Class").**

You have received this Notice because you have been identified as an **Affected Class Member**, who is entitled to make a claim for compensation in a Settlement of this action.

#### **WHAT THE ACTION IS ABOUT**

In June 2018, CarePartners discovered that it had been the victim of a cyber-security breach (the "Cyber-Breach"). Personal information and personal health information belonging to many CarePartners' patients and employees or contractors was extracted by hackers who were attempting to procure a ransom from CarePartners.

Arthur Redublo and Donna Moher (the "Plaintiffs") brought this Class Action alleging CarePartners was negligent, and sought damages for Class Members affected by the Cyber-Breach.

The Court has certified this Action as a class action on consent, for the purposes of facilitating the Settlement.

#### **THE SETTLEMENT TERMS**

**The Claim Deadline is: January 11, 2023**, after which time no further Claim Forms will be accepted or valid.

This Notice provides a summary of the terms of a Settlement between the parties, which has been approved by the Ontario Court. Further details of the Settlement including a copy of the Settlement Agreement and the Court's Certification and Settlement Approval Order may be accessed at:

<https://schneiderlawfirm.ca/practice-items/carepartners-privacy-class-action>;  
<https://www.hshlawyers.com/expertise/mass-tort-class-action-litigation/carepartners-class-action-lawsuit/>, or  
<https://waddellphillips.ca/classactions/carepartners-class-action>.

Under the Settlement, CarePartners will pay \$3,440,000.00 (the "Settlement Amount") in full and final settlement of all the claims made against it. CarePartners will receive a release from the Class, and the Class Action will be dismissed.

The Settlement Amount includes all legal fees, interest, and the costs of administrating the settlement of the Class Action. Once these amounts are deducted, the net settlement fund will be distributed equally among all Affected Class Members who submit a valid Claim Form before the Claim Period ends.

The Court has approved legal fees and disbursements totaling \$816,302.25, inclusive of taxes; and honoraria for the Plaintiffs, each in the amount of \$5,000. These amounts will be paid out of the Settlement Fund, along with the costs of the claims administration.

The Settlement is a compromise of disputed claims in order to achieve an early full and final resolution of the Class Action and without any admission or findings of liability or wrongdoing against CarePartners. The defendant denies any liability.

#### **HOW TO MAKE A CLAIM**

Only Affected Class Members are entitled to receive compensation under the terms of the Settlement. Claimants must complete and submit their Claim Form electronically in the online claims administration portal at: <https://portal.carepartnersprivacybreach.ca>

The amount that each Affected Class Member will receive will depend upon the total number of valid claims received by the Claims Administrator, and the total costs of the claims administration process.

Any amount remaining in the Settlement Fund after the claims administration process is complete will be transferred to the Public Interest Advocacy Center, a non-profit and charity that provides legal and research services on behalf of consumer interests.

## YOUR OPTIONS

<p><b>STAY IN THIS LAWSUIT</b></p>	<p>If you are an Affected Class Member and wish to receive a portion of the Settlement Fund, you must complete a Claim Form and deliver it to the Claims Administrator by the Claim Deadline. These claimants will be included in the distribution of the Settlement Fund and the Claims Administrator will directly mail settlement cheques to their requested address.</p> <p>All Class Members will be legally bound by the Court order approving the settlement and dismissing the Action, including the release granted to the defendants, unless they opt out of this Class Action, regardless of whether they are entitled to receive a payment from the Settlement Fund.</p> <p>Class Members may not pursue any claim, complaint, demand, action or suit against CarePartners or related entities for the same claims that were raised or could have been raised in the Class Action.</p>
<p><b>REMOVE YOURSELF FROM THIS LAWSUIT (OPT-OUT)</b></p>	<p>If you do not want to be involved in this Class Action, you must opt-out. You will then no longer be part of the Class. You will not be entitled to share in the Settlement Fund, and you will not be bound by the Court's order approving the Settlement and granting the release to CarePartners. If you opt out you may be able to commence your own claim against CarePartners, but you should be aware that there are time limits within which you can start a claim. You should consult a lawyer before deciding to opt out to start your own claim.</p> <p>If you meet the Class definition, and you do not want to be involved in this Class Action, you must tell the Claims Administrator that you want to opt out before the opt-out deadline of December 12, 2022. Your opt-out notice must be in writing and include a clear statement that you wish to exclude yourself/opt out from this Class Action, as well as your full name and address, and it must be signed by you, or include your electronic signature.</p> <p>Opt-out notices must be sent to the Claims Administrator:</p> <p style="text-align: center;">Trilogy Class Action Services 117 Queen Street, P.O. Box 1000 Niagara-on-the-Lake, ON LOS 1J0 <a href="mailto:optout@trilogyclassactions.ca">optout@trilogyclassactions.ca</a> Tel: 1-877-400-1211 Fax: 1-416-342-1761</p> <p>All opt-out notices must be submitted by December 12, 2022, by mail, fax or email to Trilogy Class Action Services. No opt-out notices will be accepted after that date, under any circumstances.</p>

If you have questions about the settlement, or your potential entitlement under the settlement, please contact the Claims Administrator.

If you have questions about this action, or about "opting out" please contact any one of Class Counsel.

<p><b><u>CLAIMS ADMINISTRATOR</u></b> <b>TRILOGY CLASS ACTION SERVICES</b> 117 Queen Street P.O. Box 1000 Niagara-on-the-Lake, ON LOS 1J0 <a href="mailto:inquiry@trilogyclassactions.ca">inquiry@trilogyclassactions.ca</a> Tel: 1-877-400-1211 Attn: CarePartners Privacy-Breach Class Action</p>	<p><b><u>CLASS COUNSEL</u></b> <b>HOWIE, SACKS &amp; HENRY LLP</b> 20 Queen Street West, Suite 3500, Toronto, ON M5H 3R3 <a href="mailto:pmiller@hshlawyers.com">pmiller@hshlawyers.com</a> Tel: 416-646-3901 Fax: 416-361-0083 <b>Attn: CarePartners Privacy-Breach Class Action</b></p> <p><b>WADDELL PHILLIPS PC</b> 36 Toronto Street, Suite 1120 Toronto, ON M5C 2C5 <a href="mailto:reception@waddellphillips.ca">reception@waddellphillips.ca</a> Tel: 1-888-684-5545 Fax: 416-477-1657 <b>Attn: CarePartners Privacy-Breach Class Action</b></p> <p><b>SCHNEIDER LAW FIRM</b> 1120 Finch Avenue West, Suite 700, Toronto, ON M3J 3H7 <a href="mailto:cschneider@schneiderlawfirm.ca">cschneider@schneiderlawfirm.ca</a> Tel: 416-849-6633 Fax: 416-514-0695 <b>Attn: CarePartners Privacy-Breach Class Action</b></p>
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