

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE ) Thews., THE 22  
MR. JUSTICE BELOBABA )  
DAY OF DECEMBER, 2016

**BETWEEN:**

**JAMES TEMPLIN**

Plaintiff

- and -

**HER MAJESTY THE QUEEN IN RIGHT OF THE  
PROVINCE OF ONTARIO**

Defendant

Proceeding under the *Class Proceedings Act, 1992*

**ORDER**

**THIS MOTION** for certification, brought by the plaintiff, was heard this day at Osgoode Hall, 130 Queen Street West, Toronto, Ontario.

**ON READING** the motion record and reply motion record of the plaintiff, and on reading the motion record of the defendant,

**AND ON BEING ADVISED** that the parties consent to this Order,

**AND WHEREAS** the Child and Parent Resource Institute, which is the subject of this proceeding, was formerly known as the Children's Psychiatric Research Institute ("CPRI").

1. **THIS COURT ORDERS** that this action be and is hereby certified as a class action proceeding pursuant to the *Class Proceedings Act, 1992*, S.O. 1992, c. 6.



2. **THIS COURT ORDERS AND DECLARES** that the Class is defined as all persons, who were alive as of February 22, 2014, who were inpatients of and resided at CPRI during the time period from September 1, 1963 to July 1, 2011, exclusive of any time for which an individual was an inpatient and resided in the Glenhurst or Pratten 1 wards.

3. **THIS COURT ORDERS AND DECLARES** that the Class membership is limited to “inpatients”. Individuals who only received out-patient services, without residency at CPRI, are not members of the Class.

4. **THIS COURT ORDERS AND DECLARES** that the common issues be and are hereby certified as:

- (1) by its operation or management of CPRI did the defendant breach a duty of care it owed to the Class to protect them from actionable sexual, physical or mental harm?
- (2) by its operation or management of CPRI, did the defendant breach a fiduciary duty owed to the Class to protect them from actionable sexual, physical or mental harm?
- (3) if the answer to either of common issues (1) or (2) is “yes”, can the Court make an aggregate assessment of the damages suffered by all Class members as part of the common issues trial?
- (4) if the answer to either of common issues (1) or (2) is “yes”, was the defendant guilty of conduct that justifies an award of punitive damages?;  
and
- (5) if the answer to common issue (4) is “yes”, what amount of punitive damages ought to be awarded?

5. **THIS COURT ORDERS AND DECLARES** that James Templin be and is hereby appointed as the representative plaintiff for the Class.

6. **THIS COURT ORDERS AND DECLARES** that Koskie Minsky LLP be and hereby is appointed as class counsel (“Class Counsel”).

7. **THIS COURT ORDERS** that:

- (a) within one hundred and twenty (120) days of the date of this Order, the defendant shall make best efforts to send to Class Counsel a list of all known members of the Class, which includes the following information where available from the resident index cards: the names used on admission, the admission and discharge dates, and the last known addresses and most recent contact information recorded (the “Class List”). In order to identify the most recent contact information, the defendant will:
- (i) review available resident index cards;
  - (ii) conduct searches in the Social Assistance Management System and the Social Assistance Legacy Information System for contact information for those individuals identified through paragraph 7(a)(i);
  - (iii) conduct searches in the Ministry of Health and Long Term-Care’s Registered Persons Database in accordance with the Order of this Court attached as **Schedule “A”**, for contact information for those individuals identified through paragraph 7(a)(i);
  - (iv) conduct electronic searches of the Ministry of Transportation’s registrations database for contact information for those individuals identified through paragraph 7(a)(i); and
  - (v) conduct searches of the Ministry of Government and Consumer Services’ database of death registrations and birth registrations in accordance with the Order of this Court attached as **Schedule “B”** made in this proceeding for contact information for those individuals identified through paragraph 7(a)(i); and

- (b) within ten (10) days of delivery of the Class List set out in paragraph 7(a), the defendant shall deliver a list of the community agencies that are funded by the Ministry of Children and Youth Services or the Ministry of Community and Social Services to provide services to children and youth with mental health or special needs or to adults with developmental disabilities (the “Agency List”).
  
- (c) Within ten (10) days of delivery of the Class List set out in paragraph 7(a), Class Counsel will advise the Administrator of any further or other information in relation to current contact information for Class members available or known to Class Counsel including contact information provided by the Public Guardian and Trustee. Class Counsel will provide updated addresses in their possession, if any, to the Administrator 15 days prior to the delivery of the notice at paragraph 8(a) below.

8. **THIS COURT ORDERS** that Class members shall be notified that this proceeding has been certified as a class proceeding as follows:

- (a) by the Administrator delivering a notice, in substantially the same form as the notice attached hereto as **Schedule “C”** (the “Publication Notice”) and attached hereto as **Schedule “D”** (the “Long Form Notice”), by regular mail, within thirty (30) days after the defendant has complied with paragraph 7(a) above, to the addresses identified on the Class List and to any other potential Class member who has otherwise contacted Class Counsel or the Administrator;
  
- (b) by the Administrator delivering, within thirty (30) days after the defendant has complied with paragraph 7(b) above, the Publication Notice and Long Form Notice, by regular mail, along with a covering letter in a form and content agreed upon by the parties, to the community agencies set out in the Agency List;
  
- (c) by the Administrator delivering the Publication Notice and Long Form Notice to the Public Guardian and Trustee;

- (d) by the Administrator placing, within thirty (30) days after the defendant has complied with paragraph 7(a) above, the Publication Notice in the newspapers set out in **Schedule "E"** attached hereto in ¼ of a page size in the weekend edition of each paper, if possible;
- (e) by the plaintiff requesting the ARCH Disability Law Office to distribute the Publication Notice and Long Form Notice to its distribution list;
- (f) by posting the Publication Notice and Long Form Notice on Class Counsel's and the Administrator's website; and
- (g) by the Administrator forwarding the Publication Notice and Long Form Notice to any Class member who requests it.

9. **THIS COURT ORDERS** that, within forty five (45) days following delivery of the covering letter and notice referred to in paragraph 8(b) above, the Administrator shall advise Class Counsel and the defendant of the agencies' responses, if any.

10. **THIS COURT ORDERS** that the expense of the notice in paragraphs 8(a) to (d), (f), and (g), above and the Administrator's responsibilities herein shall be borne equally by the plaintiff and the defendant, subject to review and readjustment by agreement or order at the termination of this proceeding.

11. **THIS COURT ORDERS** that Crawford Class Action Services (the "Administrator") be and is hereby appointed as the Administrator. The Administrator shall, *inter alia*, receive opt out forms from the Class.

12. **THIS COURT ORDERS** that a Class member may opt out of the class proceeding by delivering a signed opt-out coupon, substantially in the form attached as **Schedule "F"**, or other legible written request to opt out, by October 20, 2017 (the "Opt Out Deadline"), sent to the Administrator by E-mail, mail or facsimile.

13. **THIS COURT ORDERS** that no Class member may opt out of the class proceeding after the Opt Out Deadline, except with leave of the Court.

14. **THIS COURT ORDERS** that the Administrator shall serve on the parties and file with the Court, within sixty (60) days of the expiry of the Opt Out Deadline, an affidavit listing all persons who have opted out of the class proceeding, if any.

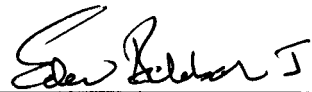
15. **THIS COURT ORDERS** that the defendant shall pay the plaintiff costs in the all-inclusive amount of \$75,000 for this motion payable before December 30, 2016.

16. **THIS COURT ORDERS** the defendant may seek to bring a motion pursuant to section 10 of the *Class Proceedings Act, 1992* should the conditions of that section be met hereafter.

ENTERED AT / INSCRIT À TORONTO  
ON / BOOK NO:  
LE / DANS LE REGISTRE NO.

DEC 22 2016

PER / PAR:



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BELOBABA J.

# **SCHEDULE "A"**

**SCHEDULE "A"**

Court File No.: CV-16-547155-00CP

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE ) \_\_\_\_\_, THE \_\_\_\_\_  
JUSTICE BELOBABA )  
DAY OF DECEMBER, 2016

**BETWEEN:**

**JAMES TEMPLIN**

**Plaintiff**

- and -

**HER MAJESTY THE QUEEN IN RIGHT OF THE  
PROVINCE OF ONTARIO**

**Defendant**

Proceeding under the *Class Proceedings Act, 1992*

**ORDER**

**WHEREAS** the Registered Persons Database (“RPDB”) is a database maintained by the Ministry of Health and Long-Term Care (“Ministry”) which contains personal health information about individuals’ eligibility for Ontario health insurance coverage, including address information;

**AND WHEREAS** the parties in this proceeding wish to conduct a search of RPDB for contact information for approximately seven thousand (7000) class members in this proceeding (the “Class List”);



**AND WHEREAS** the information contained in the RPDB constitutes “personal health information” (“Personal Health Information”) as defined in the *Personal Health Information Protection Act, 2004* S.O.2004, CHAPTER 3 Schedule A (“PHIPA”);

**AND WHEREAS** the Ministry is a health information custodian (“Health Information Custodian”) as defined in PHIPA, and has custody and control of the Personal Health Information contained in the RPDB;

**AND WHEREAS** the Personal Health Information contained in the RPDB may assist in providing address information for class members, or information that a class member has been noted to be deceased;

**AND WHEREAS** subsection 36(1)(g) of PHIPA permits a Health Information Custodian to collect Personal Health Information about an individual indirectly if the Health Information Custodian collects it from a person who is permitted or required by law or by a treaty, agreement or arrangement made under an Act or an Act of Canada to disclose it to the Health Information Custodian;

**AND WHEREAS** subsection 37(1)(a) of PHIPA permits a Health Information Custodian to use Personal Health Information for the purpose for which the information was collected;

**AND WHEREAS** subclause 41(1)(d)(i) of PHIPA permits a Health Information Custodian to disclose Personal Health Information about an individual for the purpose of complying with a summons, order or similar requirement issued in a proceeding by a person having jurisdiction to compel the production of information;

**AND WHEREAS** the Ministry cannot warrant the accuracy of the identity match or address information it will disclose pursuant to this Order.

**IT IS ORDERED, on consent, that:**

- (1) within 60 days after the date of this Order, counsel for the Crown Defendant shall provide the Ministry with the Class List which includes the following information listed, where available, in relation to each member of the class in the Class List. As such, the following information will be known as “Identifying Information”:
  - given name(s), surname;
  - date of birth;
  - historical address information;
- (2) upon receipt of the Class List including the Identifying Information, the Ministry shall within 20 business days undertake a search of the RPDB in order to match the Identifying Information for each member of the class in the Class List with the Personal Health Information contained in the RPDB, and shall determine the address information (including partial address information) and telephone number information, if any, contained in the RPDB that matches the Identifying Information of the class members in the Class List;
- (3) for greater certainty, the Ministry shall disclose last known address information, including an indication of return mail, and telephone number information for all matches, as identified below, found in RPDB:
  - (a) where the given name(s), surname and date of birth in the Identifying Information are identical;
  - (b) where the surname and date of birth in the Identifying Information are identical, but there is no match on the given name(s);
  - (c) where the historical address information and the surname and/or date of birth in the Identifying Information are identical;
- (4) in the event that the search of the RPDB reveals information which indicates that a class member in the Class List is deceased, this information, together with the recorded date of death, if available, will be disclosed in accordance with paragraph (6) (a) and (b) of this Order.

- (5) where the information in paragraph (4) indicates that the recorded date of death of the class member in the Class List is after February 22, 2014, the Ministry shall disclose any associated last known address, including an indication of return mail, and telephone number information with regard to that deceased member of the class in the Class List.
- (6) the information the Ministry locates pursuant to paragraphs (4), (5) and (6) shall be disclosed to:
- (a) Counsel for the Plaintiffs and the Class Action Administrator (Crawford) in this proceeding;
  - (b) Counsel for the Crown Defendant in this proceeding and the Ministry of Children and Youth Services;

and to no other individual or entity. This disclosure is to be made in accordance with this Order unless otherwise agreed to by the parties or modified by further Order of the court;

- (7) the address information located and disclosed in accordance with (2), (3), (4), (5), and (6) shall be used by counsel for the Plaintiffs, the Class Action Administrator, counsel for the Crown Defendant and the Ministry of Children and Youth Services only for the purpose of locating and communicating with the class members in the Class List for the purpose of this proceeding and for no other purpose; and
- (8) upon the conclusion of this proceeding, the information disclosed by the Ministry under the authority of this Court Order shall be returned to the Ministry. The disclosure, in any manner, of any information provided under paragraphs (2) – (6) to any person or for any purpose other than as described in this Order, is strictly prohibited.

Dated: December , 2016



JUSTICE BELOBABA

**JAMES TEMLIN**  
Plaintiff

and  
**HMQ**  
Defendant

Court File No. CV-16-547155-00CP

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**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**

Proceeding commenced at TORONTO

Proceeding under the *Class Proceedings Act, 1992*

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**ORDER**  
**(RPDB SEARCHES)**

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**Lawyers for the Plaintiff**

# **SCHEDULE "B"**

**SCHEDULE "B"**

Court File No.: CV-16-547155-00CP

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE ) \_\_\_\_\_, THE \_\_\_\_\_  
JUSTICE BELOBABA )  
DAY OF DECEMBER, 2016

**BETWEEN:**

**JAMES TEMPLIN**

**Plaintiff**

- and -

**HER MAJESTY THE QUEEN IN RIGHT OF THE  
PROVINCE OF ONTARIO**

**Defendant**

Proceeding under the *Class Proceedings Act, 1992*

**ORDER**

**WHEREAS** the Ministry of Government and Consumer Services (“MGCS”) maintains an electronic database of birth and death information (the “Database”) under the *Vital Statistics Act*, R.S.O. 1990, c. V.4;

**AND WHEREAS** the Database contains information which constitutes “personal information” as defined under the *Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. F.31 (“FIPPA”), and the collection, use and disclosure of personal information is governed by FIPPA;

**AND WHEREAS** information in the Database may assist the parties and the Class Action Administrator – Crawford to determine whether any of the approximately seven thousand (7000) class members in this proceeding (the “Class List”), are deceased and if any of those class members are determined to have died after February 22, 2014, to provide address information for the usual residence of the deceased, if available, which could potentially allow the estate of the deceased class member to receive notice of the certification of this class action. The “usual residence” is information which may be provided on the Statement of Death for deaths registered in Ontario;

**AND WHEREAS** section 64 of FIPPA provides that FIPPA does not impose any limitation on the information otherwise available by law to a party to litigation and does not affect the power of a Court to compel a witness to testify or compel the production of a document;

**AND WHEREAS** MGCS cannot warrant the accuracy of an identity match or address information it will disclose pursuant to this Order;

**IT IS ORDERED, on consent, that:**

- 1) the Class List that identifies approximately seven thousand (7000) class members be provided to MGCS.
- 2) within 60 days after the date of the Order, counsel for the Crown Defendant shall provide MGCS with the Class List and the following information where available, the “Identifying Information”, in relation to each individual on the listing:
  - first name, middle name(s) and/or initial
  - surname
  - date of birth (“DOB”)
  - date of discharge from CPRI
- 3) upon receipt of the Class List containing the Identifying Information, MGCS shall within 10 business days undertake the following electronic searches to compare the Identifying Information with the Database and, in the following order, identify unique and exact matches where:
  - (A) a search of the electronic death registrations determines any (i) exact matches between first name, surname and DOB; (ii) exact matches between a middle name, surname and DOB; (iii) exact matches between an initial, where no given name has been provided, surname and DOB.

(B) a search of the electronic birth registrations that have an indicator of a death determines any (i) exact matches between first name, surname and DOB; (ii) exact matches between middle name, surname and DOB; (iii) exact matches between an initial, where no given name has been provided, surname and DOB.

- 4) for greater clarity, as soon as a unique and exact match is identified by searching in the order prescribed, 3 A(i), (ii), (iii), B(i), (ii), (iii), no further searches as prescribed above will be carried out for that individual listed.
- 5) where a match has been found under paragraphs 3 and 4 and a date of death is available, only those results which provide a date of death which occurs after the date of discharge for the class member, where available, shall be identified as a match.
- 6) MGCS will identify only unique and exact matches found in its searches carried out under paragraphs 3, 4 and 5. If more than one potential match, that is not a unique and exact match, is found by MGCS in carrying out these searches, those multiple results will not be provided.
- 7) for those unique and exact matches found under paragraphs 3, 4, 5 and 6, MGCS will provide its search results indicating a match of the data to an individual who is deceased and the date of death, where available.
- 8) in order to try to identify address information for those who died after February 22, 2014, MGCS will carry out a separate search using the Identifying Information provided. A search of the database for any matches containing any given name and surname and DOB, will be carried out. For all matches with an Ontario death registration which identifies a date of death after February 22, 2014, MGCS will provide the date of death and the address for the usual residence of the deceased, if shown, from all potential matching death registrations.
- 9) MGCS shall disclose the results of the searches conducted in accordance with paragraphs 3, 4, 5, 6, 7, and 8 of this Order to:
  - a. Plaintiffs' counsel and the Class Action Administrator Crawford in this proceeding;
  - b. Defendant's counsel in this proceeding, who will in turn disclose the results to the Ministry of Children and Youth Services;



and to no other individual or entity. This disclosure is to be made in accordance with this Order unless otherwise agreed to by the parties or modified by further Order of the court;

10) the information provided by MGCS in accordance with paragraphs 3, 4, 5, 6, 7, 8 and 9 shall be used by the parties and the Class Action Administrator Crawford only for the purpose of determining whether any class members on the Class List are deceased and for those class members who may have died after February 22, 2014 to use the usual residence information provided for efforts to identify and contact the estate of the deceased class member and for no other purpose.

11) upon the conclusion of this proceeding, the information located and disclosed in accordance with paragraphs 3, 4, 5, 6, 7, 8 and 9 of this Court Order shall be returned to MGCS. The distribution, sale, or release in any unauthorized manner of any information provided under this Court Order is strictly prohibited.

Dated: December , 2016

  
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JUSTICE BELOBABA

**HMQ**  
Defendant

and

**JAMES TEMPLIN**  
Plaintiff

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**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**

Proceeding commenced at TORONTO

Proceeding under the *Class Proceedings Act*,  
1992

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**ORDER**  
**(MGCS SEARCHES)**

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**Lawyers for the Plaintiff**

# **SCHEDULE "C"**

ONTARIO SUPERIOR COURT OF JUSTICE

SCHEDULE "C"

Legal Notice

**Were you an inpatient who resided at CPRI in London Ontario  
between  
1963 and 2011?**

*A Lawsuit May Affect You. Please Read this Carefully.*

You could be affected by a class action lawsuit involving the Child and Parent Resource Institute, also known as the Children's Psychiatric Research Institute ("CPRI"), which is located in London Ontario.

**What is this case about?**

The lawsuit says Ontario failed to properly care for and protect people who lived at CPRI. The lawsuit says residents of CPRI were emotionally, physically, and psychologically traumatized by their experiences at CPRI. Ontario denies these claims. The Court has not decided whether the Class or Ontario is right. The lawyers for the Class will have to prove their claims in Court.

**Are you included?**

You are included in this lawsuit if:

- you were an inpatient and resided at CPRI, between September 1, 1963 and July 1, 2011, exclusive of any time for which you were in the Glenhurst or Pratten 1 wards; and
- to be included in the lawsuit, a former inpatient must have been alive as of February 22, 2014.

**Who represents the class?**

The Court has appointed Koskie Minsky LLP to represent the Class as "Class Counsel". You don't have to pay Class Counsel, or anyone else, to participate. Instead, if Class Counsel achieves money or benefits for the Class, they will ask for lawyers' fees and costs, which would be deducted from any money obtained, or to be paid by Ontario. You may hire your own lawyer, but you may have to pay that lawyer.

**What are your options?**

At this stage of the case you have a choice whether you want to stay in the case or get out of it.

**Stay in:** To stay in the Class, you do not have to do anything. If money or benefits are obtained, you will be notified about how to ask for a share. You will be legally bound by all orders and judgments, and you will not be able to sue Ontario about the legal claims in this case.

**Staying in will not impact the support services which are funded by Ontario.**

**Get out of the Class:** If you want to keep your rights to sue individually over the claims in this case or do not wish to be part of this Class you need to remove yourself. If you remove yourself, you cannot get money or benefits from this lawsuit if any are awarded. To ask to be removed, send a letter to the address

**QUESTIONS? CALL TOLL-FREE [NUMBER] (TTY: [NUMBER]) OR VISIT WWW.[WEBSITE].CA**

ONTARIO SUPERIOR COURT OF JUSTICE

below, postmarked no later than **[date]**, that says you want to be removed from *Templin v. HMQ*, or send an E-mail to [email address] . You can also get an Opt Out Form at [website]. You must mail your removal request or Opt Out Form postmarked by **October , 2017**, to: [address], or send a written request by email at: [email].

**How can I get more information?**

Go to [website], call toll-free [number] (TTY: [number]) or write to [address], or by email at: [email].

**QUESTIONS? CALL TOLL-FREE [NUMBER] (TTY: [NUMBER]) OR VISIT WWW.[WEBSITE].CA**

# **SCHEDULE "D"**

ONTARIO SUPERIOR COURT OF JUSTICE

SCHEDULE "D"

Were you an inpatient who resided at CPRI in  
London Ontario between 1963 and 2011?

If YES, A Class Action May Affect Your Rights.

*A court authorized this notice. You are not being sued.*

- You could be affected by a class action lawsuit involving the Child and Parent Resource Institute, also known as the Children's Psychiatric Research Institute ("CPRI"), which is located in London Ontario.
- A Court has approved a lawsuit as a class action for former inpatients of CPRI between September 1, 1963 and July 1, 2011, exclusive of any time for which you were an inpatient and resided on the Glenhurst or Pratten 1 wards. **If you know a former inpatient who resided at CPRI who cannot read this notice please share this information with them.**
- The Court has not decided whether the Province of Ontario did anything wrong, and there still has to be a court case about whether the province did anything wrong. There is no money available now and no guarantee there will ever be any money. However, your rights are affected, and you have a choice to make now. This notice is to help you make that choice.

QUESTIONS? CALL TOLL-FREE [NUMBER] (TTY: [NUMBER]) OR VISIT [WWW.\[WEBSITE\].CA](http://WWW.[WEBSITE].CA)

ONTARIO SUPERIOR COURT OF JUSTICE

<b>YOUR LEGAL RIGHTS AND OPTIONS AT THIS STAGE</b>	
<b>DO NOTHING</b>	<p><b>Stay in this lawsuit and wait for the outcome. Share in possible benefits from the outcome but give up certain individual rights.</b></p> <p>By doing nothing, you keep the possibility of getting money or other benefits that may come from a trial or settlement. But, you give up any rights to sue the Province of Ontario on your own about the same legal claims in this lawsuit.</p>
<b>REMOVE YOURSELF (OPT OUT)</b>	<p><b>Get out of this lawsuit and get no benefits from it. Keep rights.</b></p> <p>If you ask to be removed (opt out) and money or benefits are later awarded, you won't share in those. But, you keep any rights to sue the Province of Ontario on your own about the same legal claims in this lawsuit.</p>

- Lawyers must prove the claims against the Province of Ontario at a trial or a settlement must be agreed. If money or benefits are obtained you will be notified about how to ask for your share.
- Your options are explained in this notice. To be removed from the lawsuit, you must ask to be removed by **October , 2017**.

QUESTIONS? CALL TOLL-FREE [NUMBER] (TTY: [NUMBER]) OR VISIT [WWW.\[WEBSITE\].CA](http://WWW.[WEBSITE].CA)



**WHAT THIS NOTICE CONTAINS**

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- 1. Why was this notice issued?
- 2. What is this lawsuit about?
- 3. Why is this a class action?
- 4. Who is a member of the Class?
- 5. What is the Plaintiff asking for?
- 6. Is there any money available now?

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- 7. What happens if I do nothing?
- 8. What if I don't want to be in the Class?
- 9. If a former inpatient remains in the Class will that impact their current supports or services?

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- 10. Do I have a lawyer in the case?
- 11. How will the lawyers be paid?

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**QUESTIONS? CALL TOLL-FREE [NUMBER] (TTY: [NUMBER]) OR VISIT [WWW.\[WEBSITE\].CA](http://WWW.[WEBSITE].CA)**

12. How and when will the Court decide who is right?

13. Will I get money after the trial?

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14. How do I get more information?

## BASIC INFORMATION

### 1. Why is there a notice?

This lawsuit has been “certified” as a Class Action. This means that the lawsuit meets the requirements for class actions and may proceed to trial. If you are included, you may have legal rights and options before the Court decides whether the claims being made against the Province of Ontario on your behalf are correct. This notice explains all of these things.

A judge of the Ontario Superior Court of Justice, is currently overseeing this case. The case is known as *Templin v. Ontario*, Court File No. CV-16-547155-00CP. The person who sued is called the Plaintiff. The Province of Ontario is the Defendant.

### 2. What is this lawsuit about?

The lawsuit says the Province of Ontario failed to properly care for and protect people who lived at CPRI between 1963 and 2011. The lawsuit says residents of CPRI were emotionally, physically, and psychologically traumatized by their experiences at CPRI. The Province of Ontario denies these claims. The Court has not decided whether the Plaintiff or the Province of Ontario is right. The lawyers for the Plaintiff will have to prove their claims in Court.

**If you are having a difficult time dealing with these issues you can call [number] (TTY: [number]) for assistance.**

### 3. Why is this a class action?

In a class action one person called the “representative plaintiff” (in this case, James Templin) sued on behalf of people who have similar claims. All of these people are a “class” or “class members.” The court resolves the issues for all class members in one case, except for those who remove themselves from the class.

**QUESTIONS? CALL TOLL-FREE [NUMBER] (TTY: [NUMBER]) OR VISIT [WWW.\[WEBSITE\].CA](http://WWW.[WEBSITE].CA)**

#### **4. Who is a member of the Class?**

The Class includes:

- Anyone who was an inpatient and resided at CPRI, between September 1, 1963 and July 1, 2011, exclusive of any time for which they were an inpatient and resided on the Glenhurst or Pratten 1 wards; and
- to be included in the lawsuit, a former inpatient must have been alive as of February 22, 2014.

#### **5. What is the Plaintiff asking for?**

The Plaintiff is asking for money or other benefits for the Class. He is also asking for attorneys' fees and costs, plus interest.

#### **6. Is there any money available now?**

No money or benefits are available now because the Court has not yet decided whether the Province of Ontario did anything wrong. There is no guarantee that money or benefits will ever be obtained. If they are, you will be notified about how to ask for your share.

**QUESTIONS? CALL TOLL-FREE [NUMBER] (TTY: [NUMBER]) OR VISIT [WWW.\[WEBSITE\].CA](http://WWW.[WEBSITE].CA)**

## YOUR RIGHTS AND OPTIONS

You must decide whether to stay in the Class or whether to remove yourself before a possible trial, and you have to decide this by **October , 2017**

### **7. What happens if I do nothing at all?**

If you do nothing you will automatically remain in the lawsuit. You will be bound by all Court orders, good or bad. If any benefit is awarded, you may need to take action in order to receive any benefits.

### **8. What if I don't want to be in the Lawsuit?**

If you do not want to be in the lawsuit, you must remove yourself – this is sometimes referred to as “opting out.” If you remove yourself, you will not receive any benefit that may be obtained from the lawsuit. You will not be bound by any Court orders and you keep your right to sue the Province of Ontario as an individual regarding the issues in this case.

To remove yourself, send a letter that says you want to be removed from the Class in *Templin v. HMQ*. Include your name, address, telephone number, and signature. You can also get an Opt Out Form at [website]. You must mail your Opt Out Form postmarked by **October , 2017**, to: [address] or send a written request by email to [email].

Call [number] (TTY: [number]) if you have any questions about how to get out of the Class.

### **9. If a former inpatient remains in the Class will this impact their current supports or services?**

No. Staying in this Class will not impact the current supports or services received by members from the Province of Ontario.

QUESTIONS? CALL TOLL-FREE [NUMBER] (TTY: [NUMBER]) OR VISIT [WWW.\[WEBSITE\].CA](http://www.[WEBSITE].CA)

## THE LAWYERS REPRESENTING YOU

### 10. Do I have a lawyer in the case?

Yes. The Court has appointed Koskie Minsky LLP from Toronto to represent you and other Class Members as “Class Counsel.” You will not be charged for these lawyers. If you want to be represented by another lawyer, you may hire one to appear in Court for you at your own expense.

### 11. How will the lawyers be paid?

Class Counsel will only be paid if they win a trial or if there is a settlement. The Court has to also approve their request to be paid. The fees and expenses could be deducted from any money obtained for the Class, or paid separately by the Province of Ontario.

## A TRIAL

### 12. How and when will the Court decide who is right?

If the lawsuit is not dismissed or settled, the Plaintiff will have to prove his claims at a trial that will take place in Toronto. During the trial, a court will hear all of the evidence, so that a decision can be reached about whether the Plaintiff or the Province of Ontario are right about the claims in the lawsuit. There is no guarantee that the Plaintiff will win any money or benefits for the Class.

### 13. Will I get money after the trial?

If the Plaintiff obtains money or benefits as a result of a trial or settlement, class members will be notified about how to ask for a share or what your other options are at that time. These things are not known right now. Important information about the case will be posted on the website, [website], as it becomes available.

QUESTIONS? CALL TOLL-FREE [NUMBER] (TTY: [NUMBER]) OR VISIT [WWW.\[WEBSITE\].CA](http://WWW.[WEBSITE].CA)

## GETTING MORE INFORMATION

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

You can get more information at [website], by calling toll free at [number] (TTY: [number]), or writing to: [address], or by email at: [email].

**QUESTIONS? CALL TOLL-FREE [NUMBER] (TTY: [NUMBER]) OR VISIT [WWW.\[WEBSITE\].CA](http://WWW.[WEBSITE].CA)**

# **SCHEDULE "E"**



**SCHEDULE "E"**  
**PUBLICATION LIST**

[to be similar to Clegg]

<b>Publication</b>	<b>Circulation</b>	<b>Projected Cost</b>	<b>Unit Size</b>	<b>Insertions</b>
Globe & Mail	356,640	\$9,167.00	¼ page	1
National Post	169,566	\$7,155.00	¼ page	1
Aurora/King Connection	62,000	\$2,997.60	¼ page	2
Auroran	21,500	\$693.00	¼ page	2
Barrie Examiner	64,900	\$911.94	¼ page	2
Belleville Intelligencer	8,135	\$400.00	¼ page	1
Brantford Expositor	26,000	\$400.00	¼ page	1
Brockville Recorder	12,200	\$720.00	¼ page	2
Chatham Daily News	14,000	\$115.77	¼ page	1
Clinton News Record/Seaforth	3,088	\$633.60	¼ page	2
Cornwall Standard	10,320	\$320.00	¼ page	1
Daily Press (Timmins)	8,400	\$238.37	¼ page	1
Goderich Signal-Star	4,276	\$320.00	¼ page	2
Gravenhurst Banner	1,653	\$1,008.00	¼ page	2
Guelph Mercury	12,314	\$1,254.00	¼ page	1
Hamilton Spectator	114,000	\$3,009.60	¼ page	2
Ingersoll Times	1,883	\$250.00	¼ page	1
Kenora Daily	2,660	\$800.00	¼ page	1
Kincardine News	2,388	\$150.00	¼ page	1
Kingston Whig-Standard	33,000	\$1,089.00	¼ page	2
Listowel Independent Plus	23,000	\$810.00	¼ page	2
London Free Press	65,000	\$7,152.00	¼ page	2
Metro London	38,000	\$753.00	¼ page	1
Metro Ottawa	86,000	\$1,434.00	¼ page	1
Metro Toronto	622,000	\$4,661.00	¼ page	1
Niagara Falls Review	15,250	\$500.00	¼ page	1
North Bay Nugget	15,000	\$765.00	¼ page	2
Northumberland News	23,000	\$765.00	¼ page	2
Orillia Today	23,986	\$260.00	¼ page	2
Ottawa Citizen	119,670	\$5,587.75	¼ page	1
Owen Sound Sun Times	17,000	\$475.00	¼ page	1
Pembroke Observer	11,647	\$400.00	¼ page	1
Peterborough Examiner	23,000	\$625.00	¼ page	1
Picton County Weekly News	11,529	\$235.52	¼ page	2
Sarnia Observer	23,000	\$228.68	¼ page	1
Sault Ste Marie Star	34,000	\$294.09	¼ page	1
Simcoe Reformer	19,973	\$250.00	¼ page	1
St. Catharines Standard	21,000	\$1,080.00	¼ page	1
St. Thomas Times-Journal	4,628	\$414.00	¼ page	2
Stratford Beacon	6,680	\$300.00	¼ page	1
Sudbury Star	17,000	\$820.00	¼ page	1

Thunder Bay Chronicle-Journal	25,000	\$4,109.92	¼ page	2
Toronto Star	361,323	\$20,000.00	¼ page	2
Toronto Sun	390,000	\$2,500.00	¼ page	1
Waterloo Record	73,852	\$1,627.00	¼ page	1
Welland Tribune	15,000	\$400.00	¼ page	1
Whitby/Oshawa This Week	81,519	\$1,620.00	¼ page	2
Windsor Star	53,414	\$7,387.80	¼ page	1
Woodstock Sentinel-Review	8,000	\$320.00	¼ page	2
<b>Sub Total *</b>		<b>\$91,937.64</b>		

# **SCHEDULE "F"**

**SCHEDULE "F"**  
**OPT OUT COUPON**

To: **CPRI Class Action Administrator**  
**c/o Crawford Class Action Services**  
3-505, 133 Weber Street North  
Waterloo, Ontario  
N2J 3G9  
Fax #:  
Email: [EMAIL]@crawco.ca

This is **NOT** a claim form. Completing this OPT OUT COUPON will exclude you from receiving any compensation arising out of any settlement or judgment in the class proceeding named below:

Court File No. CV-16-547155-00CP

**JAMES TEMPLIN**

Plaintiff

- and -

**HER MAJESTY THE QUEEN IN RIGHT OF THE  
PROVINCE OF ONTARIO**

Defendant

**I understand that by opting out of this class proceeding, I am confirming that I do not wish to participate in this class proceeding.**

I understand that any individual claim I may have must be commenced within a specified limitation period or it will be legally barred.

I understand that the certification of this class proceeding suspended the running of the limitation period from the time the class proceeding was filed. The limitation period will resume running against me if I opt out of this class proceeding.

I understand that by opting out, I take full responsibility for the resumption of the running of any relevant limitation period and for taking all necessary legal steps to protect any claim I may have.

Date \_\_\_\_\_

Name of Class Member: \_\_\_\_\_

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Signature of Class Member Opting Out,  
Guardian of Property or Parent if class member is a minor.  
Telephone: \_\_\_\_\_

Name of Witness:  
\_\_\_\_\_

Name of Guardian of Property or Parent:  
\_\_\_\_\_

Telephone: \_\_\_\_\_

If you are completing this form as a parent or guardian of a minor, you confirm that you have legal authority to act on behalf of the minor class member. If a Guardian of Property, you must attach the documents appointing you as a Guardian of Property.

*Note: To opt out, this coupon must be properly completed and received at the above-address or fax # or email no later than October , 2017.*

Templin  
Plaintiff and  
HMQ  
Defendants

Court File No.: CV-16-547155-00CP

**ONTARIO**  
**SUPERIOR COURT OF JUSTICE**  
Proceeding commenced at Toronto

Proceeding under the *Class Proceedings Act, 1992*

**O R D E R**  
**(CERTIFICATION MOTION)**

**KOSKIE MINSKY LLP**  
20 Queen Street West, Suite 900, Box 52  
Toronto, ON M5H 3R3

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Tel: 416-595-2700/Fax: 416-204-2894

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Lawyers for the Plaintiff