

This notice was approved by the Ontario Superior Court of Justice

Did You Work as a Sales Agent for Just Energy?

This Class Action Lawsuit May Affect Your Rights.

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

If you worked as a Sales Agent pursuant to an Independent Contractor Agreement in Ontario for Just Energy at any time since 2012, you are a class member in this class action. As a class member, you are automatically included in the lawsuit and you do not have to do anything at this stage.



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BASIC INFORMATION

What is the Lawsuit About?

This lawsuit has been “certified” as a Class Action. This means that the lawsuit meets the requirements for class actions and will now proceed forward toward trial.

The class action is known as *Omarali v. Just Energy*, File CV-15-527493-00CP.

The class action alleges that Just Energy misclassified Sales Agents as independent contractors and as a result did not pay Sales Agents a minimum wage or overtime, among other things. The class action is seeking a decision from a court that confirms sales agents are employees and therefore entitled to be paid minimum wage and for the overtime they worked, among other unpaid wages and benefits.

Just Energy has defended this class action and denies all of the plaintiff’s allegations. The plaintiff’s allegations have not been proven and the Court has not yet decided whether the plaintiff or Just Energy are correct.

You may visit this website for more information: www.kmlaw.ca/JustEnergyClassAction.

Why is this a Class Action?

In a class action one or more persons called “representative plaintiffs” (in this case Haidar Omarali) sue on behalf of people who have similar claims. All of these people are a “class” or “class members.” The court resolves the common issues for all class members, except for those who remove themselves from the class by opting-out. In this case, Omarali started a lawsuit on behalf of other similarly situated Sales Agents Ontario.

Who is Included?

The Class includes:

Any person, since 2012, who worked or continues to work for Just Energy in Ontario as a Sales Agent pursuant to an independent contractor agreement.

Class members are automatically included in the class action now that it has been certified, unless they choose to opt-out of the proceeding, as described further below. If a class member opts-out, they will not be entitled to share in any money which may be recovered in this action if the plaintiff is successful.

Class members who opt-out of the proceeding can choose to proceed individually against Just Energy, outside of this class action. However, class members who do not opt-out of the

proceeding cannot advance any claims individually against Just Energy in respect of the allegations advanced in this class proceeding.

Class members who do not opt-out will be bound by any decision of a judge in the class proceeding and/or by any settlement reached and approved by the Court.

If you have any questions about whether you are a member of the Class, please contact Class Counsel at the contact information provided below.

YOUR RIGHTS AND OPTIONS

How do I Participate in the Class Action?

If you meet the class definition, you are automatically included in the class action as a class member. You do not need to take any action. If any money or other benefit is awarded, you may be entitled to share in such benefits and may need to take action at that stage in order to recover. You will be provided with further information at that stage if applicable.

The lawyers on behalf of the class (“Class Counsel”) are acting on a contingency basis which means that they will be paid only if successful in the case, and will be paid from the class member recovery subject to the approval of the Court. If the action is unsuccessful, you will not be liable for any of the lawyer’s costs or have to pay them any fees.

What if I Don't Want to be Part of the Class?

If you decide you do not wish to be included as a class member in the lawsuit, you must remove yourself – in other words, “opt-out.” If you opt-out, you will not be permitted to share in any money or other benefit that may be obtained as a result of this lawsuit.

To opt-out of the action, you need to fill out an Opt-Out Form (which can also be obtained at www.kmlaw.ca/justenergyclassaction) and you must send your Opt-Out Form by no later than June 20, 2017 to:

Just Energy Class Action Administrator
PO Box 3355
London, ON N6A 4K3
CANADA
justenergy@ricepoint.com

If you wish to opt-out and if you wish to make any claim against Just Energy yourself, you may need to retain your own lawyer, at your own expense, and proceed with your individual claim on your own. Class members who do not opt-out of the proceeding cannot advance any claims individually against Just Energy in respect of the allegations advanced in this class proceeding.

THE LAWYERS REPRESENTING YOU

Do I Have a Lawyer in this Case?

The Court has appointed Koskie Minsky, LLP to represent you and other Class Members with respect to the class proceeding as “Class Counsel”. You will not be charged for these lawyers at this time. Class Counsel will only receive compensation if they are successful in this case for the Class Members. The court must approve all fees paid to Class Counsel.

GETTING MORE INFORMATION

How do I get More Information?

You can get more information at www.kmlaw.ca/JustEnergyClassAction, by calling toll free **1.866.545.9919**, or writing to: **Just Energy Class Action, Koskie Minsky LLP, 20 Queen Street West, Suite 900, M5H 3R3** or by email at **JustEnergyClassAction@kmlaw.ca**