

## **WERE YOU ABUSED BY RALPH ROWE?**

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 against Ralph Rowe, the Synod of the Diocese of Keewatin and Scouts Canada.
- Your rights are affected, and you have a choice to make now. This notice is to help you make that choice.
- Koskie Minsky LLP and Watkins Law P.C. were appointed by the court as the lawyers for victims of Ralph Rowe. You should call them at 1-888-353-6661 or email them at [ralphroweclassaction@kmlaw.ca](mailto:ralphroweclassaction@kmlaw.ca) to get more information.
- If you have already filed a lawsuit and have fully and finally settled your claims related to abuse by Ralph Rowe, you are not part of the class. Please refer to the class definition on page 5 for further information.

YOUR LEGAL RIGHTS AND OPTIONS AT THIS STAGE	
<b>DO NOTHING</b>	<p><b>Stay in this lawsuit and wait for the outcome. Share in possible money or other 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 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 receive any money or benefits. But, you keep any rights to sue Ralph Rowe, the Synod of the Diocese of Keewatin and Scouts Canada on your own about the same legal claims in this lawsuit. You will have to retain your own lawyer at your own cost.</p>

- Lawyers must prove the claims against Ralph Rowe, the Synod of the Diocese of Keewatin and Scouts Canada 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 September 22, 2018.
- Call 1-888-353-6661 or email [ralphroweclashaction@kmlaw.ca](mailto:ralphroweclashaction@kmlaw.ca) to get more information.

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## BASIC INFORMATION

### 1. Why was this notice issued?

This lawsuit has been “certified” as a class action. This means that the lawsuit meets the requirements for a class action 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 Ralph Rowe, the Synod of the Diocese of Keewatin and Scouts Canada 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 *McKay v. Ralph Rowe et al.* (Court File No. CV-17-0239-00). The person who sued is called the Plaintiff. Ralph Rowe, the Synod of the Diocese of Keewatin and Scouts Canada are the Defendants.

### 2. What is this lawsuit about?

The lawsuit says that the Synod of the Diocese of Keewatin and Scouts Canada are responsible for the abuse by Ralph Rowe.

The Court has not decided whether the Plaintiff or the Defendants are right. The lawyers for the Plaintiff will have to prove the claims in Court.

**If you are having a difficult time dealing with these issues you can call 1-888-353-6661 for assistance.**

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

In a class action a person called the “representative plaintiff” (in this case, Alvin McKay) 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.

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

The Class includes:

All persons who were alive as at May 11, 2015 who allege that they were sexually abused by Ralph Rowe in the geographic boundaries of the Anglican Diocese of Keewatin between 1975 and 1987 except the **Excluded Persons** ("**Sexual Assault Class Members**"); and

all persons who were parents of Sexual Assault Class Members as of the date of the alleged abuse of their child, who were alive as at May 11, 2015, that have standing pursuant to s. 61(1) of the *Family Law Act*, R.S.O. 1990, c. F.3, or equivalent legislation in other provinces and territories as set out in **Schedule "A"** of the Statement of Claim (the "**Family Law Claimants**").

"**Excluded Persons**" are all Sexual Assault Class Members and their respective Family Law Claimants who, as of May 11, 2017 had fully and finally settled their claims against the Synod of the Diocese of Keewatin and Scouts Canada (a.k.a. Scouts of Canada a.k.a. Boy Scouts of Canada) and released these entities with respect to any and all alleged abuse by Ralph Rowe.

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

The Plaintiff is asking for money or other benefits for the Class.

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

No money or benefits are available now because the Court has not yet decided whether Ralph Rowe, the Synod of the Diocese of Keewatin or Scouts Canada did anything wrong, and the parties have not settled the case. There is no guarantee that money or benefits will ever be obtained. If they are, you will be notified about how to ask for a share.

## 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 September 22, 2018.

### 7. What happens if I do nothing?

**If you do nothing**, you will automatically remain in the lawsuit. You will be bound by all Court orders, good or bad. If money or other benefits are awarded by the court or if the parties agree to a settlement, you will be notified about how to ask for a share.

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

**If you want to exclude yourself from the lawsuit**, you must send a letter to the address below, postmarked no later than September 22, 2018, that says you want to be excluded from the class action *McKay v. Ralph Rowe et al.* Include your name, address, telephone number, and signature. You can also get an Opt Out Form at <https://kmlaw.ca/cases/victims-ralph-rowe/> You must mail your exclusion request or Opt Out Form postmarked by September 22, 2018 to: Ralph Rowe Class Action c/o Koskie Minsky LLP, 20 Queen Street West, Suite 900, Box 52, Toronto, Ontario, M5H 3R3, or send it by email at: [ralphroweclassaction@kmlaw.ca](mailto:ralphroweclassaction@kmlaw.ca)

If you choose to opt out and you wish to pursue a claim, you will be responsible for your own claim and will have to retain a lawyer at your own expense.

Call 1-888-353-6661 if you have any questions about whether to get out of the Class, and if so how to do it.

## THE LAWYERS REPRESENTING YOU

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

Yes. The Court has appointed Koskie Minsky LLP from Toronto and Watkins Law P.C. from Thunder Bay to represent you and other Class members as “Class Counsel.” You will not be charged for these lawyers unless there is a settlement or judgment granted by the court. If you want to be represented by another lawyer, you may hire one to appear in Court for you at your own expense.

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

Class Counsel will only be paid their fees if they win at 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 may be paid separately by the defendants.

## A TRIAL

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

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

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

If the Plaintiff obtains money or benefits as a result of a trial or settlement, you 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 <https://kmlaw.ca/cases/victims-ralph-rowe/> as it becomes available.

## GETTING MORE INFORMATION

### 13. How do I get more information?

You can get more information at <https://kmlaw.ca/cases/victims-ralph-rowe/> by calling toll free at 1-888-353-6661, or writing to: Ralph Rowe Class Action c/o Koskie Minsky LLP, 20 Queen Street West, Suite 900, Box 52, Toronto, Ontario, M5H 3R3, or by email at: [ralphroweclassaction@kmlaw.ca](mailto:ralphroweclassaction@kmlaw.ca)