

2018

Hfx No. 479060

IN THE SUPREME COURT OF NOVA SCOTIA

BETWEEN:

STEVEN GALLANT
on his own behalf and on behalf of the class

PLAINTIFF

-and-

THE ROMAN CATHOLIC EPISCOPAL CORPORATION OF HALIFAX

and

THE ROMAN CATHOLIC EPISCOPAL CORPORATION OF YARMOUTH

and

THE ARCHBISHOP OF HALIFAX – YARMOUTH

DEFENDANTS

NOTICE PLAN AGREEMENT – SETTLEMENT APPROVAL HEARING

1. Notice of the Settlement Approval Hearing shall be provided as follows:
 - a. The "Notice Period" shall run from September 14, 2022 to November 1, 2022;
 - b. By Class Counsel placing the Long Form Notice on Class Counsels' websites;
 - c. By Class Counsel forwarding the Long Form Notice to any Class member who has contacted Class Counsel;
 - d. By Class Counsel issuing a press release containing the information in the Short Form Notice;
 - e. By the Defendants placing a copy of the Short Form Notice in a conspicuous area, such as the parish public bulletin board, in each of the Roman Catholic Episcopal Corporation of Halifax and the Roman Catholic Episcopal Corporation of Yarmouth parishes and their worship sites for the duration of the Notice Period;

- f. By the Defendants posting a copy of the Long Form Notice in a conspicuous area on the websites of each parish, that has an active website, of the Roman Catholic Episcopal Corporation of Halifax and the Roman Catholic Episcopal Corporation of Yarmouth for the duration of the Notice Period;
- g. By the Defendants posting a copy of the Long Form Notice on the website of the Archdiocese of Halifax-Yarmouth at halifaxyarmouth.org for the duration of the Notice Period;
- h. By the Defendants including the Short Form Notice in the parish bulletins of each parish of the Roman Catholic Episcopal Corporation of Halifax and the Roman Catholic Episcopal Corporation of Yarmouth during the Notice Period;
- i. By the Defendants distributing the Short Form Notice electronically on its Halifax-Yarmouth News Service during the Notice Period;
- j. By Class Counsel sending copies of the Short Form Notice to Central Nova Scotia Correctional Facility, Northeast Nova Scotia Correctional Facility, Springhill Institution, Cape Breton Correctional Facility, Southwest Nova Scotia Correctional Facility with a cover letter asking each facility to post the Short Form Notice in a conspicuous area;
- k. By Class Counsel purchasing Facebook ads in the amount of \$10,000 linking to the Long Form Notice, targeted to males and females aged 40-60 years old in Nova Scotia;
- l. By Class Counsel placing the Short Form Notice in the Saltwater Network owned newspapers on mainland Nova Scotia including the Chronicle Herald (both HRM and Provincial edition), Amherst News, Annapolis Valley Register, South Shore Breaker, Tri-County Vanguard, Truro News and Valley Journal Advertiser;
- m. By Class Counsel sending a copy of the Long Form Notice to SNAP, the Survivors Network of those Abused by Priests; and
- n. By Class Counsel sending a copy of the Short Form Notice and the Long Form Notice to bishopaccountability.org and theinquiry.ca/wordpress.

Schedule "A" Notice of Settlement Approval Hearing

PHASE I SETTLEMENT APPROVAL HEARING NOTICE MATERIALS

NOTICE OF PROPOSED CLASS ACTION SETTLEMENT

To all individuals who were sexually abused by a priest of the Roman Catholic Episcopal Corporation of Halifax or Roman Catholic Episcopal Corporation of Yarmouth between April 14, 1954 and March 31, 2020 and have not previously settled or otherwise released either the Roman Catholic Episcopal Corporation of Halifax or Roman Catholic Episcopal Corporation of Yarmouth:

Please read this notice carefully.

The Court authorized this notice. This is not a solicitation from a lawyer.

A class action lawsuit regarding sexual abuse perpetrated by priests of the Roman Catholic Episcopal Corporation of Halifax or Roman Catholic Episcopal Corporation of Yarmouth has previously been certified by the Supreme Court of Nova Scotia.

The parties have agreed to a settlement to make compensation available to class members who were sexually abused by a priest of the Roman Catholic Episcopal Corporation of Halifax or Roman Catholic Episcopal Corporation of Yarmouth between April 14, 1954 and March 31, 2020. This settlement is conditional on the approval of the Court.

A hearing to determine if the proposed settlement is fair, reasonable and in the best interests of the Class Members is scheduled to take place on November 14, 2022.

What does the proposed settlement provide?

If approved by the Court, the settlement will provide financial compensation to eligible Class Members who satisfy the requirements of the claims process.

If the Court approves the proposed settlement, you may make a claim for financial compensation. To do so, you will have to complete a **Claim Form** and send it to the claims administrator during the claims period. More information on how to make a claim will be available if the proposed settlement is approved.

What are your legal rights and options?

1. Do nothing	If you support the settlement agreement, you do not have to do anything right now. Please note that by doing nothing you will give up any right to object to the settlement.
2. Object to the proposed settlement	If you do not wish to attend the hearing, but you would like to explain why you object to the settlement, you can complete an Objection Form . This form will include your name, address, and the reasons why you do not support the settlement. The Objection Form can be found at https://kmlaw.ca/cases/catholic-priest-sexual-abuse-class-action . If you wish to register as an objector, mail this Form to Koskie Minsky 900-20 Queen Street West, Toronto, ON M5H 3R3 ATTN: Catholic Abuse Class Action or email it to catholicabuseclassaction@kmlaw.ca . It must be received or postmarked no later than October 25, 2022. If you are a class member who was abused between April 14, 1954 and December 31, 1959, you will be given the opportunity to opt out of the action if the Court approves the settlement. Details regarding how to opt out will be provided if the court approves the settlement.
3. Participate at the settlement hearing	You can attend the approval hearing to participate in the proceeding and/or voice your objection to the proposed settlement. The Court will decide if you will be permitted to make oral submissions at the time of the hearing. However, in order to be eligible to participate, you are asked to complete and submit an Objection Form setting out your reasons for objecting to the proposed settlement.

What kind of compensation am I eligible for?

The settlement provides a fund of money that Class Members can make a claim against. The amount of money you can get depends on the type of harm you establish in your claim form as well as how many people make a claim.

More details regarding the compensation structure are in a document called the Settlement Agreement, which is available at <https://kmlaw.ca/cases/catholic-priest-sexual-abuse-class-action>.

WHAT THIS NOTICE EXPLAINS

Basic information

1. What is a class action?
2. What is this class action about?
3. Why is there a proposed settlement?

Who is included in the lawsuit and proposed settlement?

4. Who is included in the proposed settlement?
5. What if I'm not sure whether I'm included in the lawsuit or proposed settlement?

What are the benefits of the settlement?

6. What does the proposed settlement provide?
7. How will the lawyers be paid?

Who are the lawyers representing me?

8. Who are the lawyers for the Representative Plaintiff and the Class Members?

What are my legal options?

9. How do I tell the court if I dislike the proposed settlement?

What are the details of the approval hearing?

10. When and where will the court decide whether to approve the proposed settlement?
11. Do I have to attend the hearing?
12. What if I do nothing?

Getting more information

13. How do I get more information?

BASIC INFORMATION

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 lawsuit by opting out.

What is this class action about?

This class action alleges that the Roman Catholic Episcopal Corporation of Halifax and the Roman Catholic Episcopal Corporation of Yarmouth are legally liable for sexual abuse committed by their priests between April 14, 1954 and March 31, 2020.

Why is there a proposed settlement?

By agreeing to the proposed settlement, the Representative Plaintiff, Class Members, and the Defendants avoid the costs and risks of proceeding further with litigation. In particular, if approved by the Court, the proposed settlement agreement will guarantee financial compensation for eligible Class Members.

In this case, the settlement also means that Class Members will **NOT** be required to testify in court.

The Representative Plaintiff and the lawyers representing the Representative Plaintiff believe that the proposed settlement is in the best interests of all Class Members.

Who is included in the lawsuit and proposed settlement?

Who is included in the proposed settlement?

The proposed settlement includes all individuals, who were sexually abused by a priest of the Roman Catholic Episcopal Corporation of Halifax or Roman Catholic Episcopal Corporation of Yarmouth between April 14, 1954 and March 31, 2020 and have not previously settled or otherwise released either the Roman Catholic Episcopal Corporation of Halifax or Roman Catholic Episcopal Corporation of Yarmouth.

If you opted out of this lawsuit, you are not included in the proposed settlement. The time to opt out of the class action was between June 12, 2020 and October 12, 2020. It is no longer possible to opt out of this lawsuit.¹

¹ If you are a class member who was abused between April 14, 1954 and December 31, 1959, you will be given the opportunity to opt out of the action if the Court approves the settlement.

What if I'm not sure whether I'm included in the lawsuit or proposed 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 proposed settlement, you may call Koskie Minsky or McKiggan Hebert at the contact information below:

Koskie Minsky
900-20 Queen Street West
Toronto, ON M5H 3R3
Tel: 1-833-630-1785
Email: catholicabuseclassaction@kmlaw.ca

McKiggan Hebert
1959 Upper Water St #502,
Halifax, NS B3J 3N2
Tel: (782) 400-0010

What are the benefits of the proposed settlement?

What does the proposed settlement provide?

If approved, the settlement provides financial compensation for eligible Class Members who meet the requirements of the claims process by submitting a completed Claim Form and supporting documentation where required.

The settlement provides a fund of money that class members can make a claim against. The amount of compensation you may receive is dependent on the specifics of your claim and how many people make a claim.

More details are in a document called the proposed settlement agreement, which is available at <https://kmlaw.ca/cases/catholic-priest-sexual-abuse-class-action/>.

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 have been charged at any stage of the lawsuit. The lawyers will not be paid until the Court declares that the proposed legal fees are fair and reasonable.

The lawyers will ask for approval of fees in the amount of 33% of the settlement proceeds plus repayment of reasonable disbursements and applicable tax. The Court will consider whether these amounts are fair and reasonable, and will decide the value of fees and disbursements to award.

Who are the lawyers representing me?

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 and McKiggan Hebert Lawyers of Halifax, Nova Scotia.

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 to appear in court for you.

What are my legal options?

How do I tell the court if I object to the proposed settlement?

If you object to the settlement for any reason, there are two ways to voice your opinion:

1. Object to the proposed settlement	<p>If you do not wish to attend the hearing, but you would like to object to the settlement, you can also complete an Objection Form. This form will include:</p> <ul style="list-style-type: none">• Your name, address, and telephone number;• A statement saying that you object to the proposed settlement;• The reasons you object to the proposed settlement, along with any supporting materials; and• Your signature. <p>The Objection Form can be found at https://kmlaw.ca/cases/catholic-priest-sexual-abuse-class-action. If you wish to register as an objector, mail this Form to Koskie Minsky, 900-20 Queen Street West, Toronto, ON M5H 3R3 ATTN: Catholic Abuse Class Action or email it to catholicabuseclassaction@kmlaw.ca. It must be received or postmarked no later than October 25, 2022.</p> <p>If you are a class member who was abused between April 14, 1954 and December 31, 1959, you will be given the opportunity to opt out of the action if the Court approves the settlement. Details regarding how to opt out will be provided if the court approves the settlement.</p>
2. Participate at the settlement hearing	<p>You can attend the approval hearing to participate in the proceeding and voice your objection to the proposed settlement. The Court will decide if you will be permitted to speak at the hearing. However, in order to be eligible to participate, you are asked to complete and submit an Objection Form on time setting out your reasons for objecting to the proposed settlement.</p>

What are the details of the Approval Hearing?

The Court will hold a hearing to decide whether to approve the proposed settlement and the request for Plaintiff's counsel's legal fees, disbursements and taxes (the "Approval Hearing").

When and where will the court decide whether to approve the proposed settlement?

The Approval Hearing will take place on November 14, 2022.

The hearing date may be moved to different dates or times without additional notice. Please check <https://kmlaw.ca/cases/catholic-priest-sexual-abuse-class-action> or call 1-833-630-1785 in advance to get details about the hearing.

At the hearing, the Court will consider whether the proposed settlement is fair, reasonable, and in the best interests of the Class.

After the hearing, the Court will decide whether to approve the proposed settlement and the lawyers' legal fees. We do not know how long the Court will take to make its decision.

Do I have to attend the hearing?

No. The lawyers representing the Representative Plaintiff will answer questions from the Court. However, you or your own lawyer are welcome to participate at your own expense. If you submit an Objection Form on time, the Court will consider it and you do not have to come to the Court to talk about it. You may also have your own lawyer attend at your own expense, but it is not necessary.

What if I do nothing?

If you do nothing, the Approval Hearing will proceed, and the Court will consider whether the proposed settlement is fair, reasonable, and in the best interests of the Class without your views on the matter.

GETTING MORE INFORMATION

How do I get more information?

This notice summarizes the proposed settlement. More details are in the settlement agreement. You can get a copy of the agreement at <https://kmlaw.ca/cases/catholic-priest-sexual-abuse-class-action>.

You may also seek legal advice from Class Counsel concerning the proposed settlement and your claim at no cost to you. You can send your questions to Koskie Minsky or McKiggan Hebert Lawyers.

Koskie Minsky
900-20 Queen Street West
Toronto, ON M5H 3R3
Tel: 1-833-630-1785
Email: catholicabuseclassaction@kmlaw.ca

McKiggan Hebert
1959 Upper Water St #502,
Halifax, NS B3J 3N2
Tel: (782) 400-0010

This notice was approved by the Supreme Court of Nova Scotia

NOTICE OF PROPOSED SETTLEMENT IN CLASS ACTION

To all individuals who were sexually abused by a priest of the Roman Catholic Episcopal Corporation of Halifax or Roman Catholic Episcopal Corporation of Yarmouth between April 14, 1954 and March 31, 2020 and have not previously settled or otherwise released either the Roman Catholic Episcopal Corporation of Halifax or Roman Catholic Episcopal Corporation of Yarmouth.

A proposed settlement has been reached between the parties. If approved, it will make compensation available to individuals who allege they were sexually abused by a priest of the Roman Catholic Episcopal Corporation of Halifax or Roman Catholic Episcopal Corporation of Yarmouth.

If you opted out of the class action, the settlement will not impact you.

There will be a court hearing on November 14, 2022 to decide whether to approve the proposed settlement and counsel fees.

Compensation to Class Members is not yet available. If the court approves the settlement and you are part of the lawsuit as a Class Member, you can then make a claim for compensation.

For further information, visit <https://kmlaw.ca/cases/catholic-priest-sexual-abuse-class-action/> or call 1-833-630-1785, or email catholicabuseclassaction@kmlaw.ca.

The lawyers acting for the class are Koskie Minsky LLP and McKiggan Hebert Lawyers. You may contact either firm with any questions or concerns you have about this proposed settlement.

If you approve of the settlement and want it to proceed so you can claim money, you do not need to take any steps. If you want to object to the settlement for any reason, you must send an objection to Koskie Minsky by October 25, 2022.

Schedule "C" – Objection Form

OBJECTION FORM

Roman Catholic Diocese of Halifax and Yarmouth Sexual Abuse Class Action

ONLY USE THIS FORM IF YOU WANT TO OBJECT TO THE PROPOSED SETTLEMENT

SEND YOUR OBJECTION FORM TO: Koskie Minsky, 900-20 Queen Street West, Toronto, ON M5H 3R3, ATTN: Catholic Abuse Class Action or by email to: catholicabuseclassaction@kmlaw.ca

Your objection should be delivered to Koskie Minsky by October 25, 2022.

My name is

I am an (please specify):

- Individual who was sexually abused by a priest of the Roman Catholic Episcopal Corporation of Halifax or Roman Catholic Episcopal Corporation of Yarmouth between April 14, 1954 and March 31, 2020 and I have not previously settled or otherwise released either the Roman Catholic Episcopal Corporation of Halifax or Roman Catholic Episcopal Corporation of Yarmouth.
- I represent an individual who is under disability, and who was sexually abused by a priest of the Roman Catholic Episcopal Corporation of Halifax or Roman Catholic Episcopal Corporation of Yarmouth between April 14, 1954 and March 31, 2020 and did not previously settle or otherwise release either the Roman Catholic Episcopal Corporation of Halifax or Roman Catholic Episcopal Corporation of Yarmouth.

I object to the terms of the Proposed Settlement.

I am objecting to the Proposed Settlement for the following reasons (please attach extra pages if you require more space):

<input type="checkbox"/>	I have enclosed copies of documentation supporting my objection. (You do not have to attach any documents.)
<input type="checkbox"/>	I have NOT enclosed documentation supporting my objections and I do not intend to provide any.
<input type="checkbox"/>	I do NOT intend to appear at the hearing of the motion to approve the proposed settlement, and I understand that my objection will be filed with the court prior to the hearing of the motion on November 14, 2022.
<input type="checkbox"/>	I intend to appear, in person or by counsel, and to make submissions at the hearing on November 14, 2022.

MY ADDRESS FOR SERVICE IS:

MY LAWYER'S ADDRESS FOR SERVICE IS (if applicable, but you do not need a lawyer to object):

Name:

Name:

Address:

Address:

Tel.:

Tel.:

Fax:

Fax:

Email:

Email:

Date:

Signature:
