

If You Were an Inmate of the Southeast Regional Correctional Facility located in Shediac, New Brunswick, during the October 25, 2017 Fire Outbreak

This Class Action Lawsuit May Affect Your Rights.

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

You are receiving this notice as you have been identified by the Province of New Brunswick as having been an inmate of the Southeast Regional Correctional Facility located in Shediac, New Brunswick, during the outbreak of a fire on October 25, 2017.

A settlement has been reached with the Province of New Brunswick. You may be entitled to compensation as a result of this settlement, if the settlement is approved by the Court.

Unless you have already taken the steps to opt out of the settlement, you are automatically bound by the settlement, if it is approved by the Court.

BASIC INFORMATION

1. Why was this notice issued?

The Representative Plaintiffs and the Province have reached a settlement of the lawsuit.

The case is known as *Jessy Timothy Rose v Province of New Brunswick*, M/C/596/2018. The persons who sued (Mr. Jessy Timothy Rose and Mr. Lee Mitchell) are the Plaintiffs who are pursuing the action for the benefit of the entire class. The Province is the Defendant.

This notice has been issued to provide information about the proposed settlement.

You may visit this website to obtain further information: <https://valentlegal.ca/class-action/shediac-fire-class-action/>

You should read this notice carefully as it may affect your legal rights and you may need to take prompt action.

2. What is this lawsuit about?

The lawsuit alleges that the Province of New Brunswick is liable to the Class Members for the negligence of Correctional Facility staff and for the breach of the inmates' *Charter* rights in response to a fire occurring on October 25, 2017.

The claims have not been proven, and the Court has not decided whether the Plaintiffs or the Defendant is correct.

3. Who is a member of the Class?

The Class includes all persons who were inmates of the Southeast Regional Correctional Facility, located in Shediac, New Brunswick, during the outbreak of the fire occurring on October 25, 2017.

Class members are automatically included in the class action settlement unless they took steps to opt out by March 15, 2021.

4. Will there be a settlement?

Yes, subject to Court approval.

The Province has agreed to pay an all-inclusive sum of CDN \$1,275,000 (inclusive of all claims, costs, interest, and taxes, as well as certain settlement administration costs). After deducting Class Counsel's fees, and subject to applicable deductions, the balance of the settlement fund (the "Net Settlement Amount") will be distributed to the Class who suffered the common experience of the fire.

Class members who suffered a physical or psychological injury will be able to make a separate claim from the Net Settlement Amount, in order to be compensated for their injuries.

Class members will have to complete a Claim Form at a later point in time in order to receive payment. These will be processed by a confidential and independent third party.

Class Counsel will be seeking a fee of 30% on the CDN \$1,275,000 settlement fund, plus HST and repayment of disbursements in accordance with the retainer agreement in this case. The 30% contingency fee in this case must be approved by the Court.

Settlement Class Members who opted out cannot receive any compensation.

A complete copy of the Settlement Agreement and other information about this lawsuit is available at: <https://valentlegal.ca/class-action/shediac-fire-class-action/>

YOUR RIGHTS AND OPTIONS

5. What if I disagree with the settlement?

The court will hear submissions on whether this settlement and the legal fees and costs of Valent Legal should be approved on November 28, 2024. You can attend this hearing if you wish, but you do not need

to. If the settlement is approved, payments to Settlement Class Members will be made in accordance with the terms of the settlement agreement.

If you wish to object to the settlement, you must notify the claims administrator in writing by using the enclosed objection form by September 28, 2024. Your objection will be filed with the Court.

GETTING MORE INFORMATION

6. How do I get more information?

You can get more information at <https://valentlegal.ca/class-action/shediac-fire-class-action/>, by calling 902-443-4488, or writing to Mike Dull by e-mail at mike@valentlegal.ca

NOTICE OF OBJECTION

ONLY USE THIS FORM IF YOU **DO NOT** APPROVE OF
SETTLEMENT

TO: Southeast Regional Correctional Facility Class Action
Re: Rose v Province of New Brunswick
c/o CA2 Inc.
9 Prince Arthur Avenue
Toronto, ON M5R 1B2

E-mail: shediactfire@classaction2.com

RE: Settlement in *Rose v Province of New Brunswick*

I _____, object to (please specify the type of objection):

the terms of settlement in *Rose v Province of New Brunswick*, for the reasons below.

the proposed fees and or disbursements of Class Counsel, for the reasons below.

I acknowledge that pursuant to the order of Chief Justice Tracey Deware dated [INSERT DATE], persons wishing to object to the settlement are required to complete and deliver this Notice of Objection by no later than September 28, 2024.

I _____, object for the following reasons (please attach extra pages if you require more space):

I DO NOT intend to appear at the hearing of the motion to approve the settlement, and I understand that my objection will be filed with the court prior to the hearing of the motion on November 28, 2024.

I DO intend to appear, in person or by counsel, and to make submissions at the hearing of the motion to approve the settlement on November 28, 2024.

MY ADDRESS FOR SERVICE IS:

**MY LAWYER'S ADDRESS FOR SERVICE IS
(if applicable):**

Name:

Name:

Address:

Address:

Tel.:

Tel.:

Fax:

Fax:

E-mail:

E-mail:

Date: _____

Signature: _____