

UNION DES CONSOMMATEURS v. CONCESSION A25 S.E.C. and THE ATTORNEY GENERAL OF QUÉBEC

NO: 500-06-000579-116

NOTICE OF A HEARING ON AN APPLICATION FOR APPROVAL OF A SETTLEMENT AGREEMENT IN THE AMOUNT OF \$4,850,000.00 AND OF THE FEES OF THE ATTORNEYS FOR THE CLASS ACTION

Please carefully read the present notice as it may affect your rights.

THE PRESENT NOTICE APPLIES TO THE FOLLOWING PEOPLE: All people whose vehicle drove on the A25 bridge between May 21, 2011 (date at which the bridge was opened to the public) and April 30, 2013 inclusively and to whom Concession A25 S.E.C. (A25) invoiced administration fees which were paid as a result of the fact that their vehicle was not equipped with a transponder registered with A25 and that they did not have a client account (provided that these people did not already benefit from a credit at the opening of the client account for administration fees to be paid, or they did not already have a client account with eligible Transits) (hereinafter the « Group »);

SUBJET OF THE PRESENT NOTICE

The parties have reached an Agreement in order to definitely settle all aspects of the class action for the Group (the « Agreement »).

On **May 20, 2016** there will be a hearing of an Application for Approval of the Agreement and of the fees of the attorneys of the Group (hereafter the « Application for Approval»). This hearing will take place at the **Montreal Courthouse, located at 1 Notre-Dame Street East, in room 16.12 at 9:00 a.m.**

The present notice contains only a summary of the terms and conditions of the Agreement and of the Application for Approval. The complete text of these documents may be consulted on the website www.kklex.com. In the event of conflict, these documents shall prevail.

HEARING ON THE APPLICATION FOR APPROVAL

The members of the Group which do not oppose the Agreement or the Application for Approval do not need to attend the hearing in order to benefit from the Agreement which has been approved.

If a member wishes to oppose the Agreement or the Application for Approval at the hearing on **May 20, 2016**, he must send in his opposition in writing to the attorneys of the Group by **May 8, 2016** at the latest, and include the following information:

- 1) His name, address, telephone number and email address;
- 2) The reason for his opposition;

TERMS OF THE AGREEMENT

In virtue of the Agreement, the Attorney General of Quebec, for the benefit of the defendants, and in order to settle this file out of Court, will pay \$4,850,000.00 in capital, interest and costs, in addition to the costs of the notices in the newspaper (up to a maximum of \$50,000.00).

The amount of compensation for each eligible member will be \$7.50 per transit (if it occurred between May 21 and August 21 2011-Period 1) and \$1.50 per transit (if it occurred between August 22, 2011 and April 30, 2013-Period 2). In both cases, the transits which give right to reimbursement are all those which occurred up to the tenth day following the sending, by A25, of the first invoice including the administration fees (provided that these people did not already benefit from a credit at the time their client accounts were opened for administration fees paid, or they did not already have a client account before the eligible Transit).

The members who are eligible for Period 1 which have not changed their address since their transits do not need to take any

action in order to be compensated. A cheque will be sent to the address already on file with A25. On the other hand, (i) the eligible members of Period 1 who have changed their address since their transits, and (ii) all the members of Period 2, must necessarily, in order to be compensated, complete an online form. This form will be available with the Administrator of the settlement, Collectiva Class Action Services, on the web site www.collectiva.ca as soon as the Agreement has been approved by the Court. A 90 day delay will be provided in order to complete and return this form online. The above amounts will then be distributed to the members. However, if the number of claims accepted from members of Period 2 exceeds 100,000, the remaining sums in this fund will be distributed to Union des Consommateurs (75%) and to the Automobile Protection Association (25%), which are non-profit organizations dedicated to the protection and defense of Group members.

If the Agreement is approved by the Court, all eligible members will be bound by said Agreement and will be providing a complete and final release to defendants for all civil claims which may result from the alleged facts, the exhibits filed and the representations made in the context of the class action under Court number 500-06-000579-116.

ADDITIONAL INFORMATION/QUESTIONS

For any question concerning the Agreement or the Application for Approval, please contact Union des Consommateurs or the attorneys of the Group:

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THE PRESENT NOTICE HAS BEEN AUTHORIZED BY THE HONORABLE JUSTICE LOUIS JOSEPH GOUIN, J.S.C.