

## SCHEDULE A

### NOTICE OF CERTIFICATION AND SETTLEMENT APPROVAL HEARING

RCMP Gender and Sexual Orientation Based Harassment and Discrimination Class Action

## **Did you experience gender or sexual orientation-based harassment or discrimination while working with the RCMP?**

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*If you are a female or identify as a female and work or volunteer with the RCMP now or did so in the past, this notice may affect your legal rights. Please read it carefully.*

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A class action lawsuit was initiated by Cheryl Tiller, Mary-Ellen Copland and Dayna Roach against Canada alleging gender and sexual orientation-based harassment and discrimination within the Royal Canadian Mounted Police (“RCMP” or “Defendant”). The RCMP, while not admitting liability, has agreed to a settlement of this lawsuit. A Federal Court class action has been certified on consent for the purpose of settlement.

### **Who is Eligible for the Proposed Settlement?**

You are eligible to participate in the settlement, if you are a member of the class as defined below and have experienced gender or sexual orientation based harassment or discrimination while working or volunteering with the RCMP. The class is defined as:

**Primary Class Members:** current and former living Municipal Employees, Regional District Employees, employees of non-profit organizations, volunteers, Commissionaires, Supernumerary Special Constables, consultants, contractors, public service employees, students, members of integrated policing units and persons from outside agencies and police forces who are female or publicly identify as female and who were supervised or managed by the RCMP or who worked in an RCMP controlled workplace during the Class Period (defined as September 16, 1974 to July 5, 2019)

\*Excluded from the class are individuals who are primary class members in *Merlo and Davidson v. Her Majesty the Queen*, Federal Court Action Number T-1685-16 and class members in *Ross, Roy, and Satalic v. Her Majesty the Queen*, Federal Court Action Number T-370-17 or *Association des membres de la police montée du Québec inc., Gaétan Delisle, Dupuis, Paul, Lachance, Marc v. HMTQ*, Quebec Superior Court Number 500-06-000820-163.

**Secondary Class Members:** any Child or Spouse of a Primary Class Member who has a derivative Claim, in accordance with applicable family law legislation.

### **The Terms of the Proposed Settlement**

The settlement provides six levels of compensation ranging from \$10,000 to \$220,000 for Primary Class Members who experienced gender or sexual orientation-based harassment or discrimination while working or volunteering with the RCMP during the Class Period. Compensation is also available for Secondary Class Members where the Primary Class Member’s Claim is assessed at either of the two highest severity levels.

### **Your Right to Opt-Out of the Settlement**

If you *do not* wish to participate in the class action and proposed settlement because you wish to retain the right to pursue an individual action, you must mail or deliver by hand a signed Opt-Out Form to Klein Lawyers LLP received or postmarked no later than September 13, 2019:

Klein Lawyers LLP  
Attn: Whitney Santos  
1385 West 8<sup>th</sup> Avenue, Suite 400  
Vancouver, BC V6H 3V9

If you opt-out, you will *not* be included in this lawsuit, you will *not* be bound by the Court's judgement on the settlement, and you will *not* be eligible for settlement compensation. **File an Opt-Out Form *only* if you wish to retain the right to pursue an individual action.** The Opt-Out Form can be obtained from Class Counsel and is available on Class Counsel's websites and at [rcmpsettlement.ca](http://rcmpsettlement.ca).

If you have an ongoing lawsuit or other claim for compensation with respect to gender or sexual orientation-based harassment or discrimination you experienced while working or volunteering with the RCMP, and you wish to participate in the proposed class action settlement, you must discontinue your lawsuit or other claim **on or** before September 13, 2019. If you do not, you will be deemed by s. 334.21(2) of the *Federal Courts Rules* to have opted out of *this* class action. Contact your lawyer to discuss your options.

### **The Approval Hearing and Your Right to Participate**

A motion to approve the settlement is scheduled to be heard on October 17, 2019 at 9:30 am at the Federal Court in Vancouver, British Columbia at 701 West Georgia Street. Class Counsel will also ask the Court to approve an award of fees and disbursements for their work in achieving the settlement.

If you agree with the proposed settlement, you do not have to do anything at this time. If the Court approves the settlement, a notice will be published setting out the procedures for submitting a Claim to the settlement.

If you disagree with the proposed settlement, you have the right to object. To object, you must mail or deliver by hand a letter to either Klein Lawyers LLP or Higgerty Law at their addresses below. Your objection must be received by Class Counsel by October 1, 2019. Your letter must include your name, contact information, and a brief statement of the nature and reasons for your objection.

If you are a Class Member, you have the right to participate in the approval hearing by attending the hearing and requesting to speak either in favour or against the settlement or the fees being sought by Class Counsel. The Court may make orders as to the manner, timing and duration of any Class Member submissions at the hearing. If you are a Class Member and wish to participate in the hearing, please contact either Klein Lawyers LLP or Higgerty Law by mail or email at their addresses below and state your intention to participate in the hearing.

### **What are the Financial Consequences?**

If you remain a Class Member and the settlement is approved by the Court, you will be bound by the terms of the settlement and you will be eligible to file a Claim for compensation. If you opt-out of the settlement and the settlement is approved by the Court, you will *not* be bound by the terms of the settlement and you will *not* be eligible to file a Claim for compensation.

The Defendants have agreed to pay Class Counsel's disbursements and are making a contribution toward class counsel fees. Class Counsel will request a further class counsel fee of 15% plus applicable sales tax payable from the compensation awarded to class members under the settlement. The award of class counsel fees is subject to court approval. If approved, 15% of the compensation awarded to Class Members will be deducted from payments to Class Members and paid to Class Counsel as a contribution toward class counsel fees.

### **Want More Information?**

To obtain a copy of the settlement agreement and the applicable schedules contact Class Counsel at the addresses below.

#### **Klein Lawyers LLP**

Whitney Santos  
[wsantos@callkleinlawyers.com](mailto:wsantos@callkleinlawyers.com)  
1385 West 8<sup>th</sup> Avenue, #400  
Vancouver, BC V6H 3V9  
[www.callkleinlawyers.com](http://www.callkleinlawyers.com)

#### **Higgerty Law**

Connie Luong  
[info@higgertylaw.ca](mailto:info@higgertylaw.ca)  
Millennium Tower, Main Floor  
101, 440 2<sup>nd</sup> Avenue SW  
Calgary, AB T2P 5E9  
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