

ASTORIA HOTEL CLASS ACTION

NOTICE OF COURT APPROVAL OF SETTLEMENT OF CLASS ACTION

This notice is to any person who was a registered guest, or who accompanied a registered guest and stayed at a room at the Astoria Hotel in Jasper, Alberta, between July 1, 2015 and November 3, 2015 (the “Class Period”), and who:

- (a) Was bitten by one or more bed bugs while staying at the Astoria Hotel during the Class Period; and/or
- (b) Experienced property damage or loss as a result of the presence of bed bugs at the Astoria Hotel during the Class Period.

READ THIS NOTICE CAREFULLY AS IT MAY AFFECT YOUR LEGAL RIGHTS

A SETTLEMENT HAS BEEN APPROVED IN THIS CLASS ACTION

In 2015, a Class Action was commenced against George Andrew & Sons Limited, George Andrew, Stephania Andrew and Pam Andrew, owners and operators of the Astoria Hotel in Jasper, Alberta (collectively, the “**Defendants**”), in respect of a 2015 bed bug infestation occurring at the hotel.

This notice applies to all persons who were registered guests, or who accompanied a registered guest and stayed at a room in the Astoria Hotel between July 1, 2015 and November 3, 2015, and who sustained bed bugs bites or experienced property damage or loss as a result of the presence of bed bugs at the hotel (“**Class Members**”).

By order of the Court of King’s Bench of Alberta granted on November 10, 2022 and filed on December 21, 2022, a settlement agreement between the Plaintiff and the Defendants was approved by the Court (the “**Settlement Agreement**”). The Settlement Agreement provides that the Defendants will pay \$350,000.00, in full and final settlement of all claims of the Class Members (the “**Settlement Amount**”). The Settlement Amount includes all legal fees, disbursements and taxes. The Court declared the Settlement Agreement, including the Settlement Amount to be fair, reasonable and in the best interests of the Class Members.

The settlement is a compromise of disputed claims and is not an admission of liability, wrongdoing or fault on the part of the Defendants, who have disputed, and continue to dispute, the allegations advanced in the Class Action.

CLASS MEMBERS’ ENTITLEMENTS

To seek compensation from the Settlement Amount, Class Members must submit their Claim Form and required documentation postmarked (if applicable) no later than **July 31, 2023** (the

“Claim Deadline”). The Claim Form can be found at the website of the Claims Administrator noted below.

Only Class Members are permitted to be compensated from the Settlement Amount. In particular, any persons who have opted out of this Class Action are not permitted to be compensated from the Settlement Amount.

The Settlement Amount, net of legal fees, is to be distributed to the Class Members.

Two groups of Class Members have been identified:

1. Class Members who sustained bed bug bites or who had property damaged or destroyed by reason of the presence of bed bugs in the Astoria Hotel and who incurred monetary loss as a result of having to obtain medical care or replace property (**“Group 1”**); and
2. Class Members who did not sustain bed bug bites or who had property damaged or destroyed, but will attest to:
 - a. Believing that the presence of bed bugs at the Astoria Hotel during the Class Period meant that the services they received were less than they had bargained for; and
 - b. Not having previously been offered any refund or other compensation by the Astoria Hotel (**“Group 2”**).

Group 1 Class Members will be entitled to compensation representing their proportionate share of the Settlement Amount up to \$10,000.00. Group 2 Class Members will be entitled to compensation representing their proportionate share of the Settlement Amount up to \$100.00.

The Claims Administrator will have the sole discretion to receive, review and approve Claim Forms submitted by Class Members. When appropriate, the Claims Administrator may solicit advice from Class Counsel and counsel for the Defendants in determining the validity of a Claim Form.

CLAIMS ADMINISTRATOR

By order of the Court of King’s Bench of Alberta granted on January 20, 2023 and filed on January 23, 2023, the Court appointed Epiq Global as the Claims Administrator of the Settlement Amount. The Claims Administrator will, among other things: (i) receive and process the Claim Forms submitted by Class Members; (ii) make determinations of each Class Member’s eligibility for compensation pursuant to the Settlement Agreement; (iii) communicate with Class Members regarding their eligibility for compensation; and (iv) manage and distribute the Settlement Amount in accordance with the Settlement Agreement. The Claim Form can be found at the Claims Administrator’s website below, and the Claims Administrator can be contacted at:

Address: Jasper Hotel Class Action Administrator
c/o Epiq Class Action Services Canada Inc.
P.O. Box 507 STN B
Ottawa ON K1P 5P6

Email address: info@jasperhotelclassaction.ca

Claims Administrator's Website: www.jasperhotelclassaction.ca

COPIES OF THE SETTLEMENT APPROVAL ORDER

Copies of the Order approving the Settlement Agreement may be found on the website of Class Counsel at: <https://jssbarristers.ca/class-actions/astoria-hotel-iasper/>

IMPORTANT DEADLINE

Claim Deadline: July 31, 2023

Claim Forms will not be accepted after the Claim Deadline. As a result, it is necessary that you act without delay.

INTERPRETATION

If there is a conflict between the provisions of this Notice and the Settlement Agreement, the terms of the Settlement Agreement will prevail.

QUESTIONS ABOUT THE APPROVED SETTLEMENT SHOULD BE DIRECTED TO CLASS COUNSEL

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