

## CALGARY STAMPEDE CLASS ACTION

[www.YoungCanadiansSettlement.ca](http://www.YoungCanadiansSettlement.ca)

PLEASE READ THIS IMPORTANT NOTICE

If you were a male or identified as a male student, employee, contractor or volunteer with the Young Canadians organization of the Calgary Stampede Foundation and / or the Calgary Exhibition and Stampede Limited **between August 1, 1987 and January 31, 2014**, then you may be entitled to make a claim for a payment from the settlement of this class action.

### Executive Summary

The Alberta Court of King's Bench has approved the settlement of a class action against the Calgary Stampede Foundation and the Calgary Exhibition and Stampede Limited (**Stampede Defendants**) on behalf of the Class in action *N.B. v. Calgary Stampede Foundation, the Calgary Exhibition and Stampede Limited, and Philip Heerema*, Court File No. 1701-04755.

The Class includes: all individuals who are male or identified as male, and were students, employees, contractors, or volunteers of the Young Canadians **between August 1, 1987, to January 31, 2014**.

The lawsuit alleges that from 1987 to 2014, Class Members may have been sexually exploited, sexually lured, and / or sexually assaulted by Philip Heerema, or at risk. The lawsuit also alleges that the Stampede Defendants are directly and vicariously liable for Philip Heerema's actions.

The Stampede Defendants' insurers have agreed to pay the all-inclusive amount of \$9,500,000 CAD (the **Settlement Fund**) to settle the class action as against the Stampede Defendants, in return for releases and a dismissal of the class action as against the Stampede Defendants. The Court has approved payment of Class Counsel's legal fees and disbursements inclusive of GST in the amount of \$3,258,398.17. The fees are approximately 30% plus GST of the Settlement Fund after disbursements, honoraria, and administration costs have been paid. These amounts have been deducted from the Settlement Fund.

The Court has also approved honoraria payments in the total amount of \$36,000 to be paid to the representative plaintiff and the other Class Members who were instrumental in commencing this class action and prosecuting it to its final resolution.

This Notice provides a summary of the Settlement Agreement. The full Settlement Agreement may be viewed at: [www.YoungCanadiansSettlement.ca](http://www.YoungCanadiansSettlement.ca) or at: <https://jssbarristers.ca/class-actions/philip-heerema-and-calgary-stampede-foundation/>

**IMPORTANT:**

**Class Members have until **December 31, 2024** to make a claim for a payment from the Settlement Fund. If you do not make a claim **by December 31, 2024**, then you will not qualify to receive a payment from the Settlement Fund.**

**SECTION 1 - BASIC INFORMATION**

**1.1 Why is there a Notice?**

This action was certified as a class proceeding by court order dated June 10, 2019.

The parties entered into a settlement on April 26, 2024. The Court has now determined that the Settlement Agreement is fair, reasonable, and in the best interest of the Class, and it has been approved.

Class Members may now make a claim to receive a portion of the Settlement Fund.

**1.2 What are the settlement benefits?**

The Stampede Defendants' insurers will pay an all-inclusive amount of \$9,500,000 CAD (the **Settlement Fund**) in full and final settlement of all claims made against the Stampede Defendants in the class action. The Settlement Fund will be allocated first to pay the approved incurred disbursement in the amount of \$184,723.60 (inclusive of taxes), the costs of administering the settlement, honoraria payable to certain Class Members, and class counsel fees and taxes on those legal fees, approved by the Court in the total amount of \$3,294,398.17. The rest will be paid out to those Eligible Class Members who make a claim for compensation before the Claim Deadline.

In return, the Stampede Defendants have received a release from all Class Members, who did not previously opt out, whether or not they receive compensation, and the class action has been dismissed in its entirety against the Stampede Defendants.

The Net Settlement Fund will be distributed in accordance with the Settlement Agreement's Distribution Protocol, which is Schedule "F" to the Settlement Agreement. The Settlement Agreement, including the Distribution Protocol, can be viewed at: [www.YoungCanadiansSettlement.ca](http://www.YoungCanadiansSettlement.ca) or at: <https://jssbarristers.ca/class-actions/philip-heerema-and-calgary-stampede-foundation/>

In broad terms, Class Members who complete a valid claim form before the Claims Deadline of **December 31, 2024** will be "Eligible Class Members." They may be eligible to receive one or more of the payments detailed below:

**SECTION 2 - THE SETTLEMENT FUND**

Eligible Class Members will have their claims assessed by an independent claims administrator.

If the Eligible Class Member was a Senior Student Class Member during the Class Period and did not have direct harmful conduct with Philip Heerema, but their Young Canadians experience was tarnished, they will receive a set payment of \$500 (**Student Compromised Experience Claimant**).

If the Eligible Class Member was a Senior Student Class Member during the Class Period, and did not have direct harmful conduct with Heerema, but they observed or were otherwise aware of improper conduct or had close friends who were affected, and have since experienced feelings of guilt, depression or otherwise negatively impacted mental health, they will receive a set payment of \$1500 (**Student Compromised Experience Enhanced Impact Claimants**).

For all other Claimants, the Claims Administrator and the Claim Evaluators will assess each Eligible Class Member's Claim to determine the number of points allocable to their claim. Points will be allocated on the following basis:

- (1) If the Eligible Class Member experienced penetrative sexual activities by Heerema, including some or all of the following: oral sex, digital penetration, and anal sex: 10 points.
- (2) If the Eligible Class Member experienced sexual stimulation by or with Heerema, including some or all of the following: masturbation in Heerema's presence (whether in person or over video or telephone) and mutual masturbation with Heerema: 8 points.
- (3) If the Eligible Class Member experienced physical interactions with a sexual purpose with Heerema, including some or all of the following: touching with a sexual purpose or intention, participation in nude or partially nude activities with physical contact, fondling, genital contact, groping, and sexual massages: 6 points.
- (4) If the Eligible Class Member received from Heerema, or was solicited by Heerema and did provide sexualized photography, pornography, or nude photographs: 3 points.
- (5) If the Eligible Class Member experienced sexualized interactions with Heerema but without direct physical contact, including some or all of: witness to sexualized activities, witness to sexualized comments, witness to sexualized language, inappropriate personal questions, focused and unwanted attention, voyeurism, sexual advances, invitation to sexual touching: 1 point.

For each category detailed above, the Claims Administrator will consider the impact of the harm suffered by the Eligible Class Member, and in their sole discretion may, allocate one to three additional points based on the degree of harm suffered by the Eligible Class Member.

### **SECTION 3 - WHAT IS THIS LAWSUIT ABOUT?**

The lawsuit alleges that Class Members were sexually exploited, sexually lured, and / or sexually assaulted by Philip Heerema, or at risk. The lawsuit also alleges that the Stampede Defendants are directly and vicariously liable for Philip Heerema's actions.

#### **3.1 Who is a member of the Class?**

If you meet the Class definition, then you are a member of the Class. The Class definition is: all individuals who are male or identified as male, and were students, employees, contractors, or volunteers of the Young Canadians **between August 1, 1987, to January 31, 2014.**

However, not everyone who is a Class Member is eligible for compensation.

## SECTION 4 - HOW TO MAKE A CLAIM

To be eligible to receive part of the Settlement Fund, Class Members must submit a completed Claim Form to Epiq Class Action Services Canada Inc. **by no later than December 31, 2024**. Claim Forms are available and can be completed on the Claims Administrator's website, and are available for download on Class Counsel's website.

The completed claim form should be sent to:

**Calgary Stampede Class Action Claims Administrator**  
c/o Epiq Class Action Services Canada Inc.  
P.O. Box 507 STN B  
Ottawa Ontario K1P 5P6  
Email: [info@YoungCanadiansSettlement.ca](mailto:info@YoungCanadiansSettlement.ca)  
Telephone: 1-877-408-5432

## SECTION 5 - THE LAWYERS REPRESENTING YOU

### 5.1 How are Class Counsel paid?

You will not have to pay any of the fees and expenses of Class Counsel. The Court granted their fee approval request, and Class Counsel's fees, expenses, and taxes on those amounts have been deducted from the Settlement Fund, in the total amount of \$3,258,398.17, as approved by the Court.

## SECTION 6 - GETTING MORE INFORMATION

### 6.1 How do I get more information?

You can also obtain more information about this settlement by contacting the Claims Administrator or Class Counsel using the contact details listed below:

#### Claims Administrator:

**Calgary Stampede Class Action Claims Administrator**  
c/o Epiq Class Action Services Canada Inc.  
P.O. Box 507 STN B  
Ottawa Ontario K1P 5P6  
Email: [info@YoungCanadiansSettlement.ca](mailto:info@YoungCanadiansSettlement.ca)  
Telephone: 1-877-408-5432

#### Class Counsel:

**Jensen Shawa Solomon Duguid Hawkes LLP**  
Attention: Calgary Stampede Class Action  
#800, 304 – 8 Avenue SW  
Calgary Alberta T2P 1C2  
Email: [classactions@jssbarristers.ca](mailto:classactions@jssbarristers.ca)