

## **NOTICE OF SETTLEMENT APPROVAL HEARING**

### **IMPORTANT NOTICE ABOUT THE CLASS ACTION AGAINST THE CALGARY STAMPEDE FOUNDATION, THE CALGARY EXHIBITION AND STAMPEDE LIMITED AND PHILIP HEEREMA**

Were you 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?

If yes, this notice is for you, and you are a Class Member.

A settlement of the class action against the Calgary Stampede Foundation and the Calgary Exhibition and Stampede Limited (collectively, the “**Stampede Defendants**”) has been reached, and there will be Court hearing to decide if the settlement should be approved.

If this settlement is approved, then Class Members can make a claim for compensation.

#### **What is the Class Action about?**

A lawsuit has been certified as a Class Action against Philip Heerema, Calgary Exhibition and Stampede Limited, and the Calgary Stampede Foundation.

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.

The Representative Plaintiff, who can only be identified by his initials in accordance with a Court Order, is N.B. In this lawsuit, the Representative Plaintiff is seeking damages on his own behalf and on behalf of everyone who was a Class Member.

#### **What is the proposed settlement?**

The Stampede Defendants will pay \$9.5 million to settle the action. The settlement fund after deduction of approved legal fees, disbursements and honoraria will be distributed to compensate all Eligible Class Members, taking into account their interactions with Philip Heerema and the impact of those interactions on the claimant.

The total compensation each Eligible Class Member may receive will depend upon both the total number of claimants, the nature of their interaction with Philip Heerema, and the impacts of those interactions on the claimant.

For more information about the proposed Settlement Agreement, or to learn more about the court hearing, please go to:

<https://jssbarristers.ca/class-actions/philip-heerema-and-calgary-stampede-foundation/>

A copy of the Settlement Agreement is posted there.

You may also contact the following lawyers for more information:

classactions@jssbarristers.ca  
Jensen Shawa Solomon Duguid Hawkes LLP  
Attn: Calgary Stampede and Philip Heerema Class Action  
#800, 304 – 8 Avenue SW  
Calgary, Alberta T2P 1C2

**Compensation is not yet available for Class Members. If the Court approves the settlement, more information will be provided about how to make a claim.**

If the Settlement Agreement is approved, the class action against the Stampede Defendants will be dismissed. The Stampede Defendants will receive a release from all Class Members, who did not previously opt out, whether or not they receive compensation. This means that any Class Member, who have not previously opted out, whether or not they receive compensation, will not be able to sue the Stampede Defendants in the future for any harm or damage suffered as a result of their interactions with Philip Heerema.

Class Counsel will request that all disbursements incurred in prosecuting this class action be paid from the settlement funds and that the costs of administration of the settlement funds also be paid from the total settlement funds. Class Counsel will seek an honoraria payment to certain Class Members who were instrumental in the prosecution of this Action. Class Counsel will also request that following the payment of disbursements, honoraria, and administration costs, that 30% plus GST of the remaining settlement fund be allocated towards their contingency legal fees, and taxes.

### **What's Next?**

An Alberta Court of King's Bench judge will decide whether to approve the proposed settlement at a hearing on June 28, 2024 at 2:00 PM MT. The judge will decide whether the settlement is fair, reasonable, and in the best interests of the Class Members, and if the requested legal fees are fair. A request will also be made that the Court approve an honorarium to be paid to the Representative Plaintiff and to other Class Members who were instrumental in prosecuting the claim and reaching a resolution for the benefit of all Class Members.

### **What do you have to do?**

You do not have to do anything at this time. If the settlement is approved, then you will receive another notice that will explain next steps. If you want to attend the settlement approval hearing or to make a statement to the court, you can contact us at the address below.

## What if you object to the settlement?

If you do not think the proposed settlement is fair, reasonable, and in the best interests of the Class Members, or you object to the amount of legal fees being sought, you can make an objection to the Court in two ways:

1. You can send in a statement, which must include your name, contact information, confirmation that you are a Class Member, and an explanation of why you object to the settlement or class counsel fees. Class Counsel will file these with the Court. Statements can be sent by email or mail and must be received by June 14, 2024, at 11:59 pm MT at:

classactions@jssbarristers.ca  
Jensen Shawa Solomon Duguid Hawkes LLP  
Attn: Calgary Stampede and Philip Heerema Class Action  
#800, 304 – 8 Avenue SW  
Calgary, Alberta T2P 1C2

2. You can make submissions to the Court in person at the settlement approval hearing. If you want to address the Court, please email [classactions@jssbarristers.ca](mailto:classactions@jssbarristers.ca) by June 14, 2024, at 11:59 pm MT. Details of how to participate in the hearing will be sent to everyone who wishes to speak.