

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 on liability only, and there will be Court hearing to decide if the settlement should be approved.

If this settlement is approved, then Class Members may be entitled to damages to be determined through the damages phase of the class action.

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 have agreed to accept responsibility for all liability contemplated, set out in, or otherwise referred to or identified in Certified Common Issues 1 (a)-(d); 3 (a)-(j); 5 (a)-(c); 6 (a)-(c); 7 (a)-(b); and 8 (as set out in Schedule “B” of the Certification Order, filed June 24, 2019).

The Stampede Defendants have agreed that they will pay 100% of all damages that are awarded, determined, agreed upon, or otherwise assessed in favour of the Class in respect of Certified Common Issues 1 (a)-(d); 3 (a)-(j); 5 (a)-(c); 6 (a)-(c); 7 (a)-(b); and 8.

APPENDIX “B” TO THE NOTICE OF SETTLEMENT AGREEMENT APPROVAL ORDER

In exchange, the Representative Plaintiff, on behalf of himself and the Class, have agreed that they will not seek punitive damages from the Stampede Defendants.

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:

Kajal Ervin
(403) 571-0745
ervink@jssbarristers.ca

Cassandra Sutter
(403) 571-1054
sutterc@jssbarristers.ca

Compensation for Class Members has not been determined at this time. If the Court approves the settlement, more information will be provided regarding the damages phase of the Class Action.

If the Settlement Agreement is approved, liability as against the Stampede Defendants will be finalized and the Class can move on to the damages phase, which will be dealt with either by way of damages assessments, trial(s) of individual issues, or negotiated resolution by or between the parties.

What’s Next?

An Alberta Court of King’s Bench judge will decide whether to approve the proposed liability settlement at a hearing on September 25, 2023 at 10:00 AM MT. The judge will decide whether the settlement on liability is fair, reasonable, and in the best interests of the 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.

We encourage you to contact Class Counsel (at the coordinates below) to ensure that Class Counsel has your correct and current information.

APPENDIX “B” TO THE NOTICE OF SETTLEMENT AGREEMENT APPROVAL ORDER

What if you object to the settlement?

If you do not think the proposed settlement on liability is fair, reasonable, and in the best interests of the Class Members, 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 on liability. Class Counsel will file these with the Court. Statements can be sent by email or mail and must be received by September 18, 2023, 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 by September 18, 2023, at 11:59 pm MT. Details of how to participate in the hearing will be sent to everyone who wishes to speak.