

CLASS ACTION REGARDING PHILIP HEEREMA, THE CALGARY EXHIBITION AND STAMPEDE LIMITED, AND THE CALGARY STAMPEDE FOUNDATION

NOTICE OF CERTIFICATION

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 the Class Members who were male students, employees, contractors, or volunteers with the Young Canadians organization of the Calgary Stampede Foundation and/or the Calgary Exhibition and Stampede Limited were sexually exploited, sexually lured, and / or sexually assaulted by Philip Heerema, or at risk. The lawsuit also alleges that the Calgary Stampede Foundation and the Calgary Exhibition and Stampede Limited failed to provide a safe and secure environment free of sexual exploitation and sexual abuse. Further, the lawsuit alleges that the Calgary Stampede Foundation and the Calgary Exhibition and Stampede Limited failed to adequately supervise Philip Heerema and failed to establish, implement, or enforce adequate policies, practices, or procedures to protect Class Members against sexual abuse or exploitation from staff and faculty of the Calgary Stampede Foundation and the Calgary Exhibition and Stampede Limited. The lawsuit alleges that the Calgary Stampede Foundation and the Calgary Exhibition and Stampede Limited are vicarious 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 male student, employee, contractor, or volunteer with the Young Canadians organization of the Calgary Stampede Foundation and the Calgary Exhibition and Stampede Limited and who was sexually exploited, sexually lured, and / or sexually assaulted by Philip Heerema, or at risk.

How do I know if I am a member of the Class?

The Class has been defined by the Court as follows:

All male students, employees, contractors or volunteers of the Young Canadians between July 1, 1997 and January 31, 2014.

If you were a male student, employee, contractor, or volunteer with the Young Canadians organization, during the time that Philip Heerema was employed there, then you are likely a Class Member.

If you are not sure whether you are a member of the Class or not, or if you would be entitled to damages should the Defendants be found responsible and required to pay damages, then you should speak to Class Counsel, whose address is set out below.

How do I participate in this Class Action?

Class Members who wish to participate in the Class Action do not need to do anything at this time. They are automatically included in the Class Action.

Class Members who wish to participate are also encouraged to contact Jensen Shawa Solomon Duguid Hawkes LLP (“Class Counsel”) at:

Kajal Ervin / Cassandra Sutter
Jensen Shawa Solomon Duguid Hawkes LLP
#800, 304 – 8 Avenue SW
Calgary, Alberta T2P 1C2
(403) 571-1520
classactions@jssbarristers.ca

What if I do not want to participate in the Class Action?

Any Class Member who wishes to opt out of the Class Action must do so by sending a written opt out form, signed by the Class Member, stating that he opts out of the Class Action. The written opt out form can be obtained from Class Counsel, and must be sent by pre-paid mail, courier, or e-mail to Class Counsel at the address above.

The written opt-out form must be received by Class Counsel no later than October 20, 2019

Class Members may be permitted to opt out of the Class Action after October 20, 2019 and prior to approval of settlement, if applicable, upon further order of the Court. If you opt-out of the Class Action, you will take full responsibility for initiating your own lawsuit against the Defendants and for taking all legal steps necessary to protect your claim, if you wish to proceed with a claim.

What are the costs to me?

Class Members will not be personally liable to pay any legal fees or disbursements to Class Counsel.

If Class Counsel is successful in establishing that the Defendants are liable to pay money to the Class Members, the Court will then proceed to determine which Class Members may be entitled to that money, and how such amounts should be distributed to those Class Members.

The Representative Plaintiff has retained Class Counsel to represent him and the Class in this lawsuit. Class Counsel will only be paid legal fees if the lawsuit is successful. If the lawsuit is successful, Class Counsel will request that legal fees be set by the Court.

If the Class Action is successful, legal costs will be deducted from the amounts recovered for the Class Members, but only after such costs are approved by the Court.

How do I find out more about this Class Action?

Questions about the matters in this Notice must not be directed to the Court. The Certification Order and other information with respect to this Class Action can be obtained at the following website: www.jssbarristers.ca/pages/class-actions/class-actions.cfm

In addition, questions for Class Counsel should be directed by mail, e-mail, or telephone to:

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