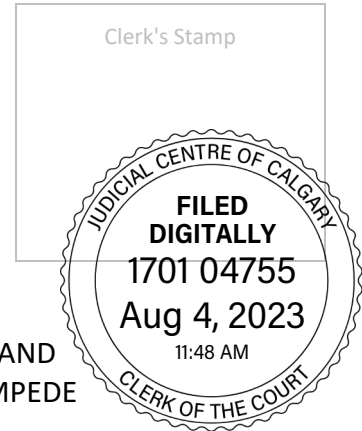


CERTIFIED *E. Wheaton*
by the Court Clerk as a true copy of the
document digitally filed on Aug 4, 2023

COURT FILE NUMBER 1701-04755
COURT COURT OF KING'S BENCH OF ALBERTA
JUDICIAL CENTRE CALGARY
PLAINTIFF N.B.
DEFENDANTS PHILIP HEEREMA, CALGARY EXHIBITION AND
STAMPEDE LIMITED, and CALGARY STAMPEDE
FOUNDATION



DOCUMENT **ORDER**

ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT **JENSEN SHAWA SOLOMON DUGUID HAWKES LLP**
800, 304 - 8 Avenue SW
Calgary, Alberta T2P 1C2

Carsten Jensen KC, FCI Arb / Gavin Price / Kaja Ervin / Cassandra Sutter / William Katz
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Fax: 403-571-1528
File: 13652-001

DATE ON WHICH ORDER WAS PRONOUNCED: July 26, 2023

LOCATION OF HEARING OR TRIAL: Calgary, Alberta

NAME OF JUDGE WHO MADE THIS ORDER: The Honourable Justice A. Woolley

UPON THE APPLICATION of the Plaintiff for an Order approving the form and content of the notice of hearing for settlement approval (the **Notice**) and the method of dissemination; **AND UPON** reviewing the materials filed, including the Settlement Agreement dated July 26, 2023 (the **Settlement Agreement**), and on hearing submissions of counsel for the Plaintiff and counsel for the Defendants, Calgary Exhibition and Stampede Limited, and Calgary Stampede Foundation (the **Stampede Defendants**) ; **AND UPON** noting the consent of the Stampede Defendants;

IT IS HEREBY ORDERED THAT:

1. The Plan of Notice set out in Appendix "A" is approved. Distribution of the Notice of Proposed Settlement Approval Hearing and the Settlement Agreement as directed by the Plan of Notice must take place by August 11, 2023. The Plan of Notice is the same as attached as Schedule "B" to the Settlement Agreement, subject to the following changes:

(a) Paragraph 6 of the Plan of Notice shall read:

6. The Stampede Defendants will post a link to the Notice of Settlement Approval Hearing and the executed Settlement Agreement, on all Stampede Defendant social media accounts, including without limiting the foregoing, the Facebook Alumni page for the Young Canadians, the Calgary Stampede Instagram account, the Young Canadians Instagram account, and any LinkedIn pages, with removal to occur no earlier than September 18, 2023.

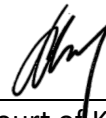
2. The Class Members shall be given notice of the hearing for settlement approval in substantially the form of Notice set out in Appendix "B" hereto.

3. The expenses associated with disseminating the Notice in accordance with the Plan of Notice shall be paid by the Stampede Defendants.

4. Any objections to the Settlement Agreement must be provided in writing to Class Counsel by September 18, 2023 at 11:59pm MT, in the form and at the address provided for in Appendix "B".

5. The Settlement Approval Hearing shall take place on September 25, 2025, commencing at 10:00am MT.

6. No person may bring an action or take any proceeding against the Stampede Defendants, the Plaintiff or Class Counsel or any of their respective past and current officers, directors, employees, parents, subsidiaries, agents, partners, associates, representatives, predecessors, successors, beneficiaries or assigns for any matter in any way relating to the implementation of the Plan of Notice.



Justice of the Court of King's Bench of Alberta

APPROVED AS TO ORDER GRANTED

**JENSEN SHAWA SOLOMON DUGUID
HAWKES LLP**



Kajal Ervin / Gavin Price
Counsel for Plaintiff, N.B., and Represented
Class

BORDEN LADNER GERVAIS LLP



Cory Ryan
Counsel for Defendants, Calgary Exhibition
and Stampede Limited, and Calgary
Stampede Foundation

PLAN OF NOTICE

A. Notice of Proposed Settlement and Approval Hearing

1. Class Counsel will publish a national press release in English advising of the proposed settlement, briefly outlining the key features of the settlement, advising of the right to participate in the settlement approval process, including the right to object to the settlement, and will include a link to the Notice of Settlement Agreement Approval on Class Counsel's web page dedicated to this proceeding.
2. Class Counsel will arrange publication of the Notice of Settlement Agreement Approval Hearing in the Globe and Mail, the National Post, the Calgary Herald, and the Calgary Sun once each, or as many times as directed by the Court.
3. Class Counsel will deliver the Notice of Settlement Agreement Approval Hearing by email to any Class Member who have provided Class Counsel with their email address.
4. Class Counsel will post the Notice of Settlement Agreement Approval Hearing as well as a copy of the Settlement Agreement, and general information about the Settlement on its website: <https://jsbarristers.ca/class-actions/philip-heerema-and-calgary-stampede-foundation/>.
5. Class Counsel will post a link to the Notice of Settlement Agreement Approval Hearing and the executed Settlement Agreement, on the Class Counsel's social media accounts, once each, or as many times as may be directed by the Court.
6. The Stampede Defendants will post a link to the Notice of Settlement Approval Hearing and the executed Settlement Agreement, on all Stampede Defendant social media accounts, including without limiting the foregoing, the Facebook Alumni page for the Young Canadians, the Calgary Stampede Instagram account, the Young Canadians Instagram account, and any LinkedIn pages, with removal to occur no earlier than September 18, 2023.
7. Class Counsel and counsel for the Stampede Defendants shall send the Notice of Settlement Agreement Approval Hearing by email or email to any person who requests it.
8. Class Counsel will publish the Notice of Settlement Agreement Approval Hearing on the Canadian Bar Association Class Action Database at <https://www.cba.org/Publications-Resources/Class-Action-Database> .
9. All costs associated with the Plan of Notice will be paid for by the Stampede Defendants.

NOTICE OF SETTLEMENT APPROVAL HEARING (CONDENSED)

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

This Notice is for any male or anyone who identified as male who, between August 1, 1987 and January 31, 2014, was a student, employee, contactor or volunteer with the Young Canadians organization of the Calgary Stampede Foundation and/or the Calgary Exhibition and Stampede Limited.

A proposed partial settlement of a class action against the Calgary Stampede Foundation and the Calgary Exhibition and Stampede Limited has been reached. The proposed partial settlement resolves liability issues only, with damages issues to be addressed later. The Court must approve the settlement on liability. The court hearing for settlement approval on liability will take place on September 25, 2023 commencing at 10:00 AM MT.

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

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

You may also call 1-403-571-1520 for more information, and reference the Calgary Stampede and Philip Heerema Class Action.

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.