

NOTICE OF CLASS ACTION CERTIFICATION AND HEARING FOR SETTLEMENT APPROVAL

*Regarding class actions for recovery of
Children's Special Allowances*

If you were a child in the care of a Child and Family Services Agency in Manitoba between 2005 and 2019, your legal rights may be affected.

Please read this Notice carefully.

What is this Notice About?

This Notice is being provided in relation to class proceedings commenced against the Government of Manitoba ("**Manitoba**") in respect of Manitoba's actions and policies relating to the administration of Children's Special Allowance Benefits ("**CSA Benefits**") paid for children in the care of Child and Family Services Agencies in Manitoba (the "**CFS Agencies**"), except the Metis Child, Family and Community Services Agency Inc. and Michif Child and Family Services Inc. (the "**Métis Agencies**") between January 1, 2005 and March 31, 2019, inclusive (the "**Flette/Lavallee Class Actions**"). There is a separate but related class proceeding dealing with Manitoba's actions and policies relating to the administration of CSA Benefits paid for children in the care of the Metis Agencies over the same period of time (the "**Lafontaine Class Action**").

This Notice was approved by the Court of King's Bench of Manitoba (the "**Court**") to provide class members with notice that:

- 1) On December 13, 2023, the Court certified the Flette/Lavallee Class Actions as class proceedings and certified the classes as all persons, and the estates of those persons, who were in the care of the CFS Agencies, other than the Métis Agencies, at any time between January 1, 2005, and March 31, 2019 (the "**Class Period**"), and were deemed a provincial funding responsibility (the "**Class**").

Authorized by the Court of King's Bench of Manitoba

- 2) The Plaintiffs in the Flette/Lavallee Class Actions have reached a settlement with Manitoba in the amount of **\$445,200,000** to be paid to the Class with a portion of those funds to be used to pay legal, the costs of administering the settlement, and for a charitable purpose if any funds remain after eligible claims are paid (the "**Settlement**"). For the purposes of facilitating the Settlement, the Claims Administrator will make application under section 76(3)(b) of *The Child and Family Services Act*, CCSM c C80 for access to confidential Class Member records which may be necessary to assist in determining and assessing entitlement. The Court will need to approve the Settlement. The Settlement Approval Hearing is scheduled for **September 5 and 6, 2024** at the Court.

Who is a member of the Class?

If a person was a provincially funded child in the care of a CFS Agency, except the Métis Agencies, at any time between January 1, 2005, and March 31, 2019, that person is likely a member of the Class and likely entitled to compensation.

A legal guardian of a Class Member, or a person legally responsible for the estate of a Class Member, is responsible for making decisions on behalf of the Class member with respect to the class actions, including opting out or making an objection.

One other related class action has also been certified with a **different** class definition:

- The Lafontaine Class Action: All children in the care of either of the Metis Agencies between January 1, 2005 and March 31, 2019.

It is possible a person may be a member of more than one class and entitled to compensation from more than one class action. For example, if a person was in the care of one of the Métis Agencies for a certain period of time, and in the care of a different child and family service agency for another period of time, and both periods of time were between 2005 and 2019, that person may be a member of more than one class and is likely entitled to compensation from more than one class action.

GET MORE INFORMATION:

Claims Administrator Information Line: 1-204-947-7101 or Toll Free: 1-844 -947-7101
and/or CSASettlement.com

If you believe you may be a member of more than one class action, please inquire with the Claims Administrator who can assist you, including by providing the contact information to class counsel for the Lafontaine Class Action and/or for the entity responsible for administering the settlement of the Lafontaine Class Action.

What happens if a Class member does not agree with the Settlement?

If a Class member disagrees with the proposed Settlement Agreement offering compensation to Class Members, or the legal fees sought by Class Counsel or other parties, the Class member can voice an objection to the Court by completing and submitting the Objection Form found at CSASettlement.com no later than August 26, 2024.

If a Class member does not want to participate in the Class actions, then they can formally “opt out” by completing and submitting the Opt Out Form found at CSASettlement.com no later than August 26, 2024. **A member of the Class who opts out will not be entitled to participate in the Flette/Lavallee Class Actions, will not be bound by the Settlement once approved by the Court, and will not be eligible for any recovery in the Flette/Lavallee Class Actions.**

Who will represent Class members?

The Court has appointed the following law firms to represent class members as “Class Counsel”. Class members will not be charged for contacting these lawyers with questions:

Cochrane Saxberg LLP for the Lavallee Class Action
Email: CSA@cochranesaxberg.com

DD West LLP for the Flette/Lavallee Actions
Email: CSA@ddwestllp.com

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Important Dates

**Deadline to Provide an Objection to Oppose the Proposed
Settlement and/or Fees: August 26, 2024**

Deadline to Opt-Out of Class Proceeding: August 26, 2024

Settlement Approval Hearing: September 5 and 6, 2024

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