

*This notice was approved by the Supreme Court of Nova Scotia*

**NOTICE OF CLASS ACTION SETTLEMENT RE: ROMAN CATHOLIC EPISCOPAL CORPORATION OF HALIFAX & ROMAN CATHOLIC EPISCOPAL CORPORATION OF YARMOUTH**

**To all individuals who were sexually abused by a priest of the Roman Catholic Episcopal Corporation of Halifax or Roman Catholic Episcopal Corporation of Yarmouth between April 14, 1954 and March 31, 2020 and have not previously settled or otherwise released either the Roman Catholic Episcopal Corporation of Halifax or Roman Catholic Episcopal Corporation of Yarmouth:**

**Please read this notice carefully.**

**The Court authorized this notice. This is not a solicitation from a lawyer.**

A class action lawsuit regarding sexual abuse perpetrated by priests of the Roman Catholic Episcopal Corporation of Halifax or Roman Catholic Episcopal Corporation of Yarmouth has previously been certified by the Supreme Court of Nova Scotia. That lawsuit is now over and there is money available for class members who file a claim and meet the requirements set out in the claims process.

This notice explains how to make a claim for compensation from the settlement if you were harmed. **If you do nothing, you will not get any money.**

Please read carefully or ask for help from someone you trust.

To learn more about this settlement go to: <https://kmlaw.ca/cases/catholic-priest-sexual-abuse-class-action/>

# WHAT THIS NOTICE EXPLAINS

## Basic Information

1. What is a class action?
2. What is this class action about?
3. Why is there a settlement?

## Who is included in the settlement?

4. Who is included in the settlement?
5. What if I'm not sure whether I'm included in the settlement?

## What are the benefits of the settlement?

6. What does the settlement say?
7. I am a Class Member. How much money could I get?
8. How does the claims office decide how much money to give me?
9. How do I show this money in my income tax? Do I pay tax on it?
10. Can I get out of the settlement now?

## How do I ask for money from the settlement?

11. How can I ask for money from the settlement?
12. Should I send anything else with the Claim Form?
13. Can I get help with my Claim Form?
14. When do I get the money?

## Who are the lawyers representing you?

15. Who are the lawyers for the Representative Plaintiff and the Class Members?
16. How will the lawyers be paid?

## Getting more information

17. How do I get more information?

## Basic information

### 1. What is a class action?

In a class action, one or more people called “**Representative Plaintiffs**” sue on behalf of people who have similar claims. All of the people who have similar claims are called a “**Class**” or “**Class Members**.” The court resolves the issues for everyone affected, except for those who excluded themselves from the lawsuits by opting out.

### 2. What is this class action about?

The class action relates to allegations that the Defendants are legally responsible for sexual abuse by priests of the Roman Catholic Episcopal Corporation of Halifax or Roman Catholic Episcopal Corporation of Yarmouth between April 14, 1954 and March 31, 2020 .

### 3. Why is there a settlement?

By agreeing to the settlement, the Representative Plaintiff, Class Members, and the Defendants have avoided the risks of a trial and delays in obtaining a judgment. In particular, the proposed settlement agreement will provide financial compensation for eligible Class Members whose claims meet the requirements of the claims process. Proceeding to trial would have left open the risk that the lawsuit would be unsuccessful and no compensation would be available to any Class Member.

In this case, the settlement also means that no Class Members will need to publicly testify in court in order to receive financial compensation.

## Who is included in the settlement?

### 4. Who is included in the Settlement?

The settlement includes all individuals who allege that they were sexually abused by a priest of the Roman Catholic Episcopal Corporation of Halifax or Roman Catholic Episcopal Corporation of Yarmouth between April 14, 1954 and the date of March 31, 2020. Individuals who have previously settled or otherwise released either the Roman Catholic Episcopal Corporation of Halifax or Roman Catholic Episcopal Corporation of Yarmouth cannot advance a class action claim for the same alleged sexual abuse.

All Class Members except those who validly opted out of the lawsuit are eligible to apply for settlement benefits, are bound by the court approved settlement agreement and will be covered by the releases in the settlement agreement.

If you opted out of this lawsuit, you are not included in the settlement. It is no longer possible to opt out of this lawsuit unless you allege that you were abused between April 14, 1954 and December 31, 1959.

## 5. What if I'm not sure whether I'm included in the settlement?

There are people who can help you understand your legal rights and next steps. If you are not sure whether you are included in the settlement, you may call 1-888-525-8798 or visit <https://kmlaw.ca/cases/catholic-priest-sexual-abuse-class-action/> or email [PriestAbuseSettlement@ricepoint.ca](mailto: PriestAbuseSettlement@ricepoint.ca)

## What are the benefits of the settlement?

### 6. What does the settlement provide?

The settlement provides financial compensation for eligible Class Members whose claims satisfy the claims process as set out below.

The Defendants agreed to pay up to ten million dollars to settle the lawsuit. The Court approved payment of legal fees, disbursements, and taxes to the lawyers representing the Representative Plaintiff.

### 7. I am a Class Member. How much money could I get?

The settlement agreement states that different amounts of compensation will be paid to Class Members depending on what happened to them. The table below explains the different categories and levels of harm for which compensation may be awarded under the claims process:

Level	Categories of Sexual Assault	Compensation Amount
1	Non-consensual fondling, kissing, sexual touching of breasts, genitals or buttocks, or exposure of genitals.*	\$30,000
2	Non-consensual simulated intercourse or masturbation.*	\$60,000
3	Non-consensual oral sex, digital penetration or attempted anal or vaginal penetration.*	\$110,000
4	Non-consensual vaginal or anal penetration.*	\$140,000

\*For greater clarity, all sexual acts between a Priest and a minor are deemed to have been non-consensual.

You cannot claim compensation for more than one level of sexual assault. You will receive compensation based on the highest level of sexual assault that is deemed compensable by the Claims Administrator.

If your claim is for a Level 3 or 4 Sexual Assault, you may opt to go through a more rigorous claim process for the possibility of more compensation. If your claim is for a Level 3 or 4 Sexual Assault and you are able to prove the harms set out below, you may get additional compensation as outlined below:

Level	Harms and Effects Caused by the Sexual Assault	Compensation Amount
1	<p>As a result of the sexual assault that is the subject of this proceeding:</p> <ul style="list-style-type: none"> <li>(i) the Claimant suffers or suffered from significant and lasting physical or psychological harm, including but not limited to a medically documented moderate mental disorder requiring medical treatment (whether or not received); or</li> <li>(ii) the Claimant has experienced a history of unemployability or under employability cumulatively in excess of one year; or</li> <li>(iii) the Claimant has experienced two or more of the following: <ul style="list-style-type: none"> <li>(a) suicide attempts;</li> <li>(b) chronic abuse of alcohol and/or drugs;</li> <li>(c) extended periods of homelessness; and,</li> <li>(d) incarceration.</li> </ul> </li> </ul>	Up to \$120,000
2	<p>As a result of the sexual assault that is the subject of this proceeding:</p> <ul style="list-style-type: none"> <li>(i) the Claimant suffers or suffered from significant and lasting physical or psychological harm, including but not limited to a medically documented severe mental disorder requiring hospitalization; or</li> <li>(ii) the Claimant has experienced a history of unemployability or under employability cumulatively in excess of three years.</li> </ul>	Up to \$210,000

More detailed information about Class Member eligibility and compensation can be found in the settlement agreement, which is available here: <https://kmlaw.ca/cases/catholic-priest-sexual-abuse-class-action/>

## **8. How does the claims office decide how much money to give me?**

The claims office will review your Claim to ensure you are eligible and to confirm that you meet the requirements of the claims process. The Defendants' lawyers will also review your claim and may elect to send your claim to a neutral adjudicator. If the Defendants' lawyers choose to do so, they may also choose to interview you. More information about the claims process can be found in the settlement agreement, which is available here: <https://kmlaw.ca/cases/catholic-priest-sexual-abuse-class-action/>

Provide as much detail and information as you remember in relation to the incidents of harm you are saying happened to you. It is okay if you do not remember details but provide as much information as you can.

There are many kinds of harm. This settlement only provides compensation for harms relating to sexual assault as set out in the table above.

The settlement sets out the levels and types of harm that are eligible for compensation. The claims office reads your Claim Form and will award compensation based on their assessment of which level and type of harm may apply to your claim.

## **9. How do I show this money in my income tax? Do I pay tax on it?**

You are getting the money because you were harmed. If, for tax purposes, you are asked to declare this money, you may indicate that it is for pain and suffering. ***There should be no tax*** on money for pain and suffering.

## **10. Can I get out of the settlement now?**

If the abuse you suffered was between 1960 and March 31, 2020, it is too late to get out of the settlement.

If you were abused between April 14, 1954 and December 31, 1959, you may still opt out of this settlement. If you were abused between April 14, 1954 and December 31, 1959 and wish to opt out, you must submit an opt out form by December 14, 2023.

More information on the opt out process can be found here: <https://kmlaw.ca/cases/catholic-priest-sexual-abuse-class-action/>

If you have already validly opted out, or you do so now, then you cannot ask for money from the settlement.

## **How do I ask for money from the settlement?**

### **11. How can I ask for money from the settlement?**

You must fill in a Claim Form and send it to the claims office by December 14, 2023. You can get the form at <https://kmlaw.ca/cases/catholic-priest-sexual-abuse-class-action/> . You can also call 1-888-525-8798 to ask for the form.

The form gives instructions. Please read them carefully. Ask for help if you do not understand. Then complete the Claim Form, attach any required documents, and send it to the claims office.

## **12. Should I send anything else with the Claim Form?**

Please read the Claim Form carefully. The documents you may need to submit are identified on the form.

## **13. Can I get help with my Claim Form?**

Yes. Your support person or anyone else can help you fill in the form. If you have a legal guardian, they can make a claim on your behalf.

You can also call for help by phone at 1-833-630-1785, or email [catholicabuseclassaction@kmlaw.ca](mailto:catholicabuseclassaction@kmlaw.ca). Phone 1-866-000-0000

And you can get help online at <https://kmlaw.ca/cases/catholic-priest-sexual-abuse-class-action/>

## **14. When do I get the money?**

You must send in your form by December 14, 2023. The claims office will make a decision on your claim and determine if you will receive compensation. All compensation for claims will be made by cheque to the Class Member who made the claim or to his/her legal guardian.

The office needs time to make a decision on all the claims before any compensation is provided to anyone. This is also why the deadlines are important as everyone waits for all claims to be processed. This can take many months. Please be patient.

## **Who are the lawyers representing me?**

### **15. Who are the lawyers for the Representative Plaintiff and Class Members?**

The lawyers for the Representative Plaintiff and Class Members are Koskie Minsky LLP of Toronto, Ontario and McKiggan Hebert Lawyers of Halifax, Nova Scotia.

You are welcome to seek legal advice from these lawyers concerning the settlement and your claim at any time and at no cost to you. If you want to be represented by or receive advice from another lawyer, you may hire one at your own expense.

Koskie Minsky  
900-20 Queen Street West  
Toronto, ON M5H 3R3  
Tel: 1-833-630-1785  
Email: [catholicabuseclassaction@kmlaw.ca](mailto:catholicabuseclassaction@kmlaw.ca)

McKiggan Hebert  
502-1959 Upper Water Street  
Halifax, NS B3J 3N2  
Tel: (782) 400-0010

## **16. How will the lawyers be paid?**

The lawyers who are representing the Representative Plaintiff took on this lawsuit on a contingency basis, meaning that no fees were charged at any stage of the lawsuit.

At the hearing to approve the settlement agreement, the lawyers asked the Court to approve their legal fees, disbursements, and taxes. The Court determined that this amount was fair and reasonable. This amount was subtracted from the amount paid by the Defendants to settle the lawsuit.

## **Getting more information**

### **17. How do I get more information?**

This notice summarizes the settlement agreement and the process for submitting a claim.

You can find more details about the settlement and the claims process in the settlement agreement. You can get a copy of the agreement at <https://kmlaw.ca/cases/catholic-priest-sexual-abuse-class-action/>. You can ask questions by phoning 1-833-630-1785, or emailing [catholicabuseclassaction@kmlaw.ca](mailto:catholicabuseclassaction@kmlaw.ca).

You may also seek legal advice from the lawyers for the Representative Plaintiff and the Class Members concerning the settlement and your claim at no cost to you.