

BRENTWOOD CARE CENTRE CLASS ACTION

This notice is directed at anyone who was a resident at Brentwood Care Centre at any time between April 16, 2020 and July 9, 2020 and became infected or died from COVID-19 during this period and spouses, adult interdependent partners and children of the residents described above.

A class action has been certified in Alberta in connection with the residents at Brentwood Care Centre who became infected or died from COVID-19 at any time between April 16, 2020 and July 9, 2020 while residing at Brentwood Care Centre during this period, and the spouses, adult interdependent partners and children of the residents described above, being Court of King’s Bench of Alberta Action No. 2001 16467 (the “Class Action”).

The Class Action alleges that Brentwood Care Centre did not meet the duty of care to the residents at Brentwood Care Centre who became ill from or died from COVID-19 at any time between April 16, 2020 and July 9, 2020. The claims have not been decided by the Court or settled and the Defendant denies any fault or liability and will vigorously defend the action.

The Class Action has been certified on behalf of the following “Resident Class” or “Family Class”, as:

- (a) **“Resident Class”** means all persons who were residents at Brentwood Care Centre at any time between April 16, 2020 and July 9, 2020 (**“Class Period”**) who became infected with COVID-19 while resident at Brentwood Care Centre during the Class Period, and became ill from or died from COVID-19 during the Class Period.
- (b) **“Family Class”** are spouses, adult interdependent partners or children of members of the Resident Class.

No Class Member will have to pay for any expenses or legal costs. However, if the action is successful at trial or is settled, Class Counsel will be entitled to a fee in an amount to be approved by the Court.

Class Members will receive notice of any major steps in the litigation, including settlement. If the Class Action is settled, you will have an opportunity to “object” to the settlement and the amount of Class Counsel fees if you do not think they are appropriate.

If you want to be a member of the class action, you do not need to do anything. However, in order to protect your rights, you should:

1. Register online at www.jamesbrown.com or www.NapoliLaw.ca to receive updates.
2. If you or your spouse, adult interdependent partner or parent were a resident at Brentwood Care Centre at any time between April 16, 2020 and July 9, 2020 and became infected with or died from COVID-19, contact Class Counsel. Class Counsel can assist in the process of obtaining records that might be necessary.

If the class action is not successful, that result will bind all Class Members. If the class action is successful, or settles before trial, Class Members may be entitled to compensation in the manner in which the Court orders and will be bound by that result. You will not be permitted to bring other legal proceedings in relation to the matters alleged in the Class Action against the Defendant. Conversely, if you are a Class Member who Opts-Out of the Class Action (an “Opt-Out Party”), you will not be able to make a claim in the Class Action but will maintain the right to pursue your own claim against the Defendant relating to the matters alleged in the Class Action. Your right to pursue a claim in a separate proceeding will not be effected, but any limitation period (i.e. a time limit in which you must commence a claim) that was paused by the commencement of the class proceedings will resume running from the date of the Opt-Out.

If you are a Class Member and wish to Opt-Out, you must submit an election to do so to Class Counsel.

The following is the opt-out procedure:

- a. A person may opt out of the Class Action by sending the Opt-Out Request Form to Class Counsel available on Class Counsel’s respective websites: www.jameshbrown.com and www.NapoliLaw.ca

Class Counsel must receive your Opt-Out Request Form no later than **4:30 p.m. MST on September 9, 2024** (“**Opt-Out Deadline**”). Opt-Out Request Forms may be sent electronically or by mail or courier to the following Class Counsel firm:

Nicole K. Keeler
James H. Brown & Associates LLP
2400 Sun Life Place, 10123 99 Street, Edmonton, AB T5J 3H1
Phone: (780) 428-0088
Fax: (780) 428-7788
nkeeler@jameshbrown.com

An Opt-Out Request Form that does not contain all of the required information will not be valid, which means that you will be part of the Class Action.

For information on the Brentwood Care Centre Class Action:

- www.jameshbrown.com or www.NapoliLaw.ca
- Or by telephone: 1-888-951-3053 or 1-888-531-0675

There is **no charge** to speak with Class Counsel to discuss the Class Action, to have your questions answered, or to retrieve a copy of the Opt-Out Request Form, or related documents.