

A SETTLEMENT HAS BEEN REACHED IN THE MAJOR JUNIOR HOCKEY CLASS ACTIONS

THE SETTLEMENT MAY IMPACT YOU

READ THIS NOTICE CAREFULLY, IT DESCRIBES THE SETTLEMENT AND HOW IT AFFECTS YOUR LEGAL RIGHTS.

The plaintiffs Samuel Berg, Travis McEvoy, Kyle O'Connor, Lukas Walter and Thomas Gobeil (collectively, the "Plaintiffs"), who are former players of the defendants Canadian Hockey League (CHL), Ontario Hockey League (OHL), Western Hockey League (WHL), Québec Major Junior Hockey League (QMJHL) and all of the Canadian CHL teams listed in Schedule A to this notice available at www.CHLClassAction.com (collectively, the "Defendants"), have come to a settlement agreement (the "Settlement") regarding the class actions instituted by the Plaintiffs in Ontario (Court File No. CV-14-511423-00CP) (the "Ontario Class Action"), Alberta (Court File No. 1401-11912) (the "Alberta Class Action") and Québec (Court File No. 500-06-000716-148) (the "Québec Class Action") against the Defendants alleging that major junior hockey players in the CHL were employees of the Defendants subject to provincial employment standards legislation (collectively, the "Class Actions").

A. Purpose of this Notice

The purpose of this notice is to advise you that the Plaintiffs and the Defendants have reached a Settlement putting an end to the Class Actions. The parties will be asking the Ontario Superior Court, the Alberta Court of Queen's Bench and the Québec Superior Court (collectively the "Courts") to approve the Settlement.

The Courts will be holding a hearing to decide whether they will approve the Settlement on **September 15, 2020** (the "Settlement Approval Hearing(s)"). You may attend the Settlement Approval Hearing(s).

B. What are these Class Actions about?

These Class Actions, commenced in Ontario, Alberta and Québec, allege that major junior hockey players in the CHL were employees of the Defendants subject to provincial employment standards legislation. This notice summarizes the Settlement and the settlement approval process.

For more information about these Class Actions and the Settlement, including copies of the statements of claim in the Ontario and Alberta Class Actions and the originating application in the Québec Class Action, and copies of the Settlement and the Distribution Protocol (as defined below at section D), please visit the following website: www.CHLClassAction.com.

C. Who are the Class Members?

Class Members will be affected by the proposed Settlement. You are a "Class Member" only if you meet one or more of the following definitions:

- (a) you were a player of an OHL team located in Ontario owned and/or operated by one or more of the Defendants at some point between October 17, 2012 and November 15, 2018, or you were a player under the age of 18 on October 17, 2012, who has not opted out of the Ontario Class Action; or
- (b) You were a player of a WHL team located in British Columbia owned and/or operated by one or more of the Defendants at some point between October 30, 2012 and February 15, 2016, or you were a player of a WHL team located in British Columbia owned and/or operated by one or more of the Defendants and were under the age of 19 on October 30, 2012, who has not opted out of the Alberta Class Action; or
- (c) you were a player of a WHL team located in Alberta at some point between October 30, 2012 and January 1, 2020, or you were a player of a WHL team located in Alberta owned and/or operated by one or more of the Defendants and were under the age of 18 on October 30, 2012, who has not opted out of the Alberta Class Action; or
- (d) you were a player of a WHL team located in Manitoba owned and/or operated by one or more of the Defendants at some point between October 30, 2012 and December 15, 2017, or you were a player of a WHL team located in Manitoba owned and/or operated by one or more of the Defendants and were under the age of 18 on October 30, 2012, who has not opted out of the Alberta Class Action; or
- (e) you were a player of a team located in Saskatchewan owned and/or operated by one or more of the Defendants at some point between October 30, 2012 and April 29, 2014, or you were a player of a WHL team located in Saskatchewan owned and/or operated by one or more of the Defendants and were under the age of 18 on October 30, 2012, who has not opted out of the Alberta Class Action; or
- (f) you were a player member of a QMJHL team owned and/or operated by one of the Defendants in the Province of Québec at some point on or after October 29, 2011 and up to June 12, 2018 who has not opted out of the Québec Class Action; or
- (g) you were a player member of a QMJHL team operated by 9264-8849 Québec Inc. operating under the name Groupe Sags 7-96 and/or Les Saguenéens in the Province of Québec at some point on or after November 5, 2011 and up to June 12, 2018 who has not opted out of the Québec Class Action; or

- (h) you were a player member of a QMJHL team owned and/or operated by one of the Defendants in the Province of New Brunswick at some point on or after October 29, 2012, and up to July 28, 2017 who has not opted out of the Québec Class Action; or
- (i) you were a player member of a QMJHL team owned and/or operated by one of the Defendants in the Province of Prince Edward Island at some point on or after October 29, 2012 and up to October 28, 2017 who has not opted out of the Québec Class Action; or
- (j) you were a player member of a QMJHL team owned and/or operated by one of the Defendants in the Province of Nova Scotia at some point on or after October 29, 2012 and up to July 4, 2016 who has not opted out of the Québec Class Action.

D. What Settlement has been reached in these Class Actions?

The Plaintiffs and the Defendants have agreed to settle these Class Actions for an all-inclusive payment of \$30 million by the Defendants. The Settlement was reached following negotiations before an independent mediator. The Defendants do not admit any liability, wrongdoing or fault in this matter, and the agreement to settle this matter does not imply any such liability, wrongdoing or fault on the part of the Defendants.

The Settlement is subject to the approval of the Courts. The Courts will decide whether the Settlement is fair, reasonable, and in the best interests of Class Members.

If the Settlement is approved by the Court, the \$30 million settlement amount will cover general damages in full and final settlement of the Class Actions and inclusive of all costs (including fees and disbursements), costs of any notice program and related translation costs, Class Counsel fees (including in respect of the Settlement Approval Hearing(s) and any related appeals in respect of this Settlement), costs of the administration of this Settlement, tax and interest.

If the Settlement is approved by the Courts, the terms of the Settlement include that Class Members will be entitled to make a claim to share in a distribution of the \$30 million settlement amount (less deductions in respect of administration expenses, Class Counsel disbursements, Class Counsel fees, any amount payable to any entity that has assisted in funding the Class Actions, taxes, and representative Plaintiff honorarium) (the “Claim Fund”).

Class Members will be entitled to share in the Claim Fund only if they make a declaration that they have not signed a contract with the National Hockey League (the “Eligible Class Members”).

Eligible Class Members will be entitled to share in the Claim Fund on a pro rata basis depending on the length of time they were a member of the Class according to a distribution protocol (the “Distribution Protocol”). The Distribution Protocol describes how much money each Eligible Class Member will receive from the Claim Fund. The full Distribution Protocol is available at www.CHLClassAction.com.

In exchange for the \$30 million settlement payment, the Defendants will receive a full release of all claims made against them in the Class Actions as well as the dismissal of those claims against the Defendants on a without costs basis.

The Plaintiffs and Class Counsel recommend the Settlement because it will provide significant monetary compensation to the Eligible Class Members, weighed against the further delays, risks and unknown results if the case proceeds to a contested trial.

The reasons in support of the Settlement will be further explained in materials to be filed with the Courts and posted on www.CHLClassAction.com.

The Courts will hold the Settlement Approval Hearing(s) to decide whether to approve the Settlement on **September 15, 2020**.

If the Courts approve the Settlement, all Class Members will be bound by the terms of the Settlement.

E. What will happen if the Settlement is rejected by the Courts?

At the Settlement Approval Hearing(s), the Courts will decide whether to approve or reject the Settlement. The Courts do not have the authority to unilaterally change the material terms of the Settlement.

If the Settlement is rejected by any of the Courts, the Class Actions will continue. Should this occur, it may take several more years to complete pre-trial procedures, trial and possible appeals. The Class may not be successful at trial and, even if successful, Class Members may not necessarily receive more compensation than under this proposed Settlement.

F. What are your Rights and Options?

Class Members and members of the public may attend the Settlement Approval hearing(s) on September 15, 2020 but are not required to do so. The details on how to attend in person or remotely will be posted to www.CHLClassAction.com.

Your rights and options are as follows:

1. **Not do anything.** If you don't do anything, you will be bound by all the terms and conditions of the Settlement and will not be able to bring any claims against the Defendants arising out of, or related to, these Class Actions. If you are an Eligible Class Member, you will be compensated as provided for in the Distribution Protocol following its approval by the Courts.
2. **Objecting or supporting the approval of the Settlement.** All of the terms and conditions of the Settlement were negotiated in good faith between the Plaintiffs, Class Counsel, the Defendants and the Defendants' Counsel. The Plaintiffs and Class Counsel acknowledge that the Settlement is in the best interest of Class Members.

As a Class Member, you are entitled, but not obligated, to express your opinions about the proposed Settlement and whether it should be approved. If you wish to make a submission to the Courts supporting or objecting to the proposed Settlement, you must send your submissions in writing (by mail or email) to Class Counsel, at the address below, and ensure they are received no later than September 10, 2020. Class Counsel will provide all submissions to the Courts and the Defendants in advance of the Settlement Approval Hearing(s).

Your written submissions should include:

- Your name, address and telephone number;
- A brief statement of the reasons that you support or oppose the Settlement terms; and
- Whether you plan to attend at the Settlement Approval Hearing(s).

G. What happens to the money paid under the Settlement?

The Claim Fund, which will be the amount remaining from the \$30 million settlement payment after deductions in respect of administration expenses, Class Counsel disbursements, Class Counsel fees, any amount payable to any entity that has assisted in funding the Class Actions, taxes, and representative Plaintiffs honorarium, if approved by the Courts, will be paid out on a pro rata basis to any Eligible Class Member who makes a claim, depending on the length of time they were a member of the Class according to the Distribution Protocol. The Distribution Protocol describes the formula for determining how much money each Eligible Class Member will receive from the Claim Fund. You can read the full Distribution Protocol at www.CHLClassAction.com.

Eligible Class Members cannot make a claim for money until after the Settlement is approved. If the Settlement is approved, further notice will be given with the details and deadlines for Eligible Class Members to make their claims to share in the Claim Fund.

H. When and where will the Settlement Approval Hearing(s) be held?

The Settlement Approval Hearing(s) will be held September 15, 2020, the details of how to participate through remote video will be posted to www.CHLClassAction.com. **If the courts permit physical attendances, the addresses for those locations will be posted.**

I. Who are the lawyers working on these Class Actions and how are they paid?

The law firms of **Charney Lawyers PC**, **Goldblatt Partners LLP** and **Savonitto & Ass. Inc.** are Class Counsel and represent members of these Class Actions in Canada.

Class Counsel can be reached at:

Charney Lawyers PC
151 Bloor St. W., Suite 602
Toronto, ON M5S 1S4
Tel: (416) 964-7950
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Goldblatt Partners LLP
20 Dundas St. West, Suite 1039
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Savonitto & Ass. Inc.
468, Rue St-Jean, Suite 400
Montreal, QC H2Y 2S1
Tel: (514) 843-3125
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The Plaintiffs entered into contingency fee agreements with Class Counsel, providing that Class Counsel are to be paid only in the event of a successful settlement or judgment. Class Counsel will be asking that the Courts approve legal fees of 30% of the \$30 million settlement, plus disbursements and applicable taxes, in accordance with the contingency fee agreements. Any approved legal fees and disbursements will be paid out of the \$30 million Settlement and the Class Members will not be responsible for further fees.

J. Where can I ask more questions?

For more information, please visit www.CHLClassAction.com. If you have questions that are not answered online or by email, please contact Class Counsel at the numbers listed above. To receive future notices and updates regarding the Class Actions, register online at www.CHLClassAction.com.

K. Interpretation

This notice contains a summary of some of the terms of the Settlement and the Distribution Protocol. If there is a conflict between the provisions of this notice and the Settlement or Distribution Protocol, the terms of the Settlement or Distribution Protocol, as applicable, shall prevail.

PLEASE DO NOT CALL THE DEFENDANTS OR THE COURTS ABOUT THESE ACTIONS

This notice was approved by the Ontario Superior Court of Justice,
Québec Superior Court of Justice and Alberta Superior Court of Justice.