

To Anyone Who Attended:

The Ernest C. Drury School for the Deaf (formerly the Ontario School for the Deaf, Milton)

The Sir James Whitney School for the Deaf (formerly the Ontario Institute for the Education of the Deaf and Dumb and the Ontario School for the Deaf) or

The Robarts School for the Deaf

Or are the Family Members of Someone Who Did

A Class Action Lawsuit May Affect Your Rights.

A court authorized this notice. You are not being sued.

- You could be affected by a class action lawsuit involving three provincially-operated elementary and secondary schools for deaf and hard of hearing children:
 - Ernest C. Drury School for the Deaf (formerly the Ontario School for the Deaf, Milton) (“Drury”)
 - Sir James Whitney School for the Deaf (formerly the Ontario Institute for the Education of the Deaf and Dumb and the Ontario School for the Deaf) (“Sir James Whitney”)
 - Robarts School for the Deaf (“Robarts”)
- Drury, Sir James Whitney, and Robarts will collectively be referred to as “the Schools”.
- A Court has approved the lawsuit as a class action that includes anyone who:
 - attended or resided at Drury at any time between 1963 and August 23, 2016 and who have not otherwise released his or her claim
 - attended or resided at Sir James Whitney at any time between 1938 and August 23, 2016 and has not otherwise released his or her claim
 - attended or resided at Robarts at any time between 1973 and August 23, 2016 and has not otherwise released his or her claim
 - are the parents, spouses, children or siblings of someone who attended or was in residence at one of the Schools between 1978 and August 23, 2016 and has not otherwise released his or her claim
 - are an estate trustee for a person who was a student or family member of a student who is included in the lawsuit and that person was living on or after August 10, 2013

- **If you know a person who attended one or more of the Schools who cannot read this notice, please share this information with them.**
- The Plaintiff is alleging that the Province of Ontario failed to properly care for and protect students who attended or resided at the Schools. The Plaintiff is alleging that students were sexually, physically and emotionally abused at the Schools. The Province of Ontario denies these claims. The Court has not decided whether the Plaintiff or the Province of Ontario is right. The lawyers for the Plaintiff will have to prove the claims in Court.
- There is no money available now and no guarantee there will be. However, your rights are affected, and you have a choice to make now.

YOUR OPTIONS AT THIS STAGE	
DO NOTHING	<p>Stay in this lawsuit. Await the outcome. Share in possible money and benefits. Give up certain rights.</p> <p>You do not have to do anything to stay in the class action. You will be legally bound by all orders and judgments of the Court, and you will not be able to sue independently the Province of Ontario about the legal claims in this case. If money or benefits are obtained, you will be notified about how to ask for a share.</p>
REMOVE YOURSELF (OPT OUT)	<p>Get out of this lawsuit. Get no money or benefits from it. Keep rights.</p> <p>If you want to keep your independent right to sue the Province of Ontario over the claims in this case or if you do not wish to be bound by the orders and judgments of this case, you need to opt out or remove yourself. If you remove yourself, you cannot get any money or benefits from this lawsuit.</p>

- Lawyers must prove the claims against the Province of Ontario at a trial. If money or benefits are obtained you will be notified about how to ask for your share.
- Your options are explained in this notice. To be removed, you must act by September 1, 2017.

WHAT THIS NOTICE CONTAINS

BASIC INFORMATIONPage 4

1. Why was this notice issued?
2. What is this lawsuit about?
3. Why is this a class action?
4. Who is a member of the Class?
5. What is the Plaintiff asking for?
6. Is there any money available now?

YOUR OPTIONSPage 5

7. What happens if I do nothing?
8. What if I don't want to be in the Class?

THE LAWYERS REPRESENTING YOUPage 6

9. Do I have a lawyer in the case?
10. How will the lawyers be paid?

A TRIAL.....Page 6

11. How and when will the Court decide who is right?
12. Will I get money after the trial?

GETTING MORE INFORMATIONPage 7

13. How do I get more information?

OPT OUT FORMPage 8

BASIC INFORMATION

1. Why is there a notice?

This lawsuit has been “certified” as a Class Action. This means that the lawsuit meets the requirements for class actions and may proceed to trial. If you are included, you may have legal rights and options before the Court decides whether the claims being made against the Province of Ontario on your behalf are correct. This notice explains all these things.

The case is known as *Welsh v. Ontario*, Court File No. CV-15-53404200CP. The person who started this lawsuit is called the Plaintiff. The Province of Ontario is the Defendant.

2. What is this lawsuit about?

The Plaintiff says that the Province of Ontario failed to properly care for and protect people who attended or resided at the Schools. The Plaintiff says that students were emotionally, physically and psychologically traumatized by their experiences at the Schools. The Province of Ontario denies these claims. The Court has not decided whether the Plaintiff or the Province of Ontario is right. The lawyers for the Plaintiff will have to prove the claims in Court.

3. 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 these people with similar claims are called the “class” or “class members.” The court resolves the issues for all class members, except those who remove themselves from the class.

The representative plaintiff in this case is Christopher Welsh. Mr. Welsh attended Drury from 1964 to 1971 and Robarts from 1972 to 1976.

4. Who is a member of the class?

You are included in this lawsuit if:

- you attended or resided at:
 - Drury at any time between 1963 and August 23, 2016 and you have not otherwise released your claim
 - Sir James Whitney at any time between 1938 and August 23, 2016 and you have not otherwise released your claim
 - Robarts at any time between 1973 and August 23, 2016 and you have not otherwise released your claim
- you are the parents, spouses, children or siblings of someone who attended or was in residence at one of the Schools between 1978 and August 23, 2016 and is included in the lawsuit
- you are an estate trustee for a person who was a student or family member of a student and that person was living on or after August 10, 2013 and is included in the lawsuit.

5. What is the plaintiff asking for?

The plaintiff is asking for money or other benefits for the Class. He is also asking for attorneys' fees and costs, plus interest.

6. Is there any money available now?

No money or benefits are available now because the Court has not yet decided whether the Province of Ontario did anything wrong, and the two sides have not settled the case. There is no guarantee that money or benefits will ever be obtained. If there are, you will be notified about how to ask for a share.

YOUR OPTIONS

You have to decide whether to stay in the Class or whether to remove yourself before a possible trial, and you have to decide this by September 1, 2017.

7. What happens if I do nothing at all?

If you do nothing you will automatically remain in the Class. You will be bound by all Court orders, good or bad. If any benefit is awarded, you may need to take action in order to receive any benefits.

Staying in this Class will not impact the services that current students of the Schools receive from the Province of Ontario. Similarly, staying in this Class will not impact residence or service and support received by class members from community based agencies which are funded by the Province of Ontario.

8. What if I don't want to be in the Class?

If you want to keep your independent right to sue the Province of Ontario over the claims in this case or if you do not wish to be bound by the orders and judgments of this case, you need to opt out or remove yourself. If you remove yourself, you cannot get any money or benefits from this lawsuit.

To ask to be removed, send a letter to **School Abuse Class Action Administrator** c/o Crawford & Company Inc., 3-505 133 Weber St. N., Waterloo ON N2J 3G9 or go to www.Schoolsforthe deafclassaction.ca. The letter should say that you want to be removed from *Welsh v. Ontario* class action and must include your name, address, telephone number and/or email address, and signature.

You can also get the Opt Out Form or complete the form online at www.Schoolsforthe deafclassaction.ca.

Your opt out must be received by September 1, 2017.

Call 1-855-823-0656 or TYY: 1-877—627-7027 if you have questions about how to get out of the Class.

THE LAWYERS REPRESENTING YOU

9. Do I have a lawyer in the case?

Yes. The Court has appointed Koskie Minsky LLP, of Toronto, Ontario to represent you and other Class Members as “Class Counsel.” Koskie Minsky LLP is representing the Plaintiff’s side in the lawsuit. You will not be charged for these lawyers. If you want to be represented by another lawyer, you may hire one to appear in Court for you at your own expense.

10. How will the lawyers be paid?

You will not have to pay any of the fees and expenses of Class Counsel. If the Court grants their request, the fees and expenses would be deducted from any money obtained for the Class, or paid separately by the Province of Ontario.

A TRIAL

11. How and when will the Court decide who is right?

If the case is not dismissed or settled, the Plaintiff will have to prove his claims and the claims of the other class members at a trial. The trial would be in Toronto, Ontario. During the trial, a court will hear all of the evidence, so that a decision can be reached about whether the Plaintiff or the Province of Ontario is right about the claims in the lawsuit. There is no guarantee that the Plaintiff will win any money or benefits for the Class.

12. Will I get money after the trial?

You may or may not get money after a trial. If the Plaintiff obtains money or benefits as a result of a trial or settlement, you will be notified about how to ask for a share or what your other options are at that time. These things are not known right now. Important information about the case will be posted on the website for the lawyers, www.kmlaw.ca/SchoolAbuse, as it becomes available.

GETTING MORE INFORMATION

13. How do I get more information?

You can get more information about this case and opting out:

School Abuse Class Action Administrator

c/o Crawford & Company Inc.,

3-505 133 Weber St. N.,

Waterloo ON N2J 3G9

Toll Free: 1-855-823-0656

TTY: 1-877-627-7027

Toll Free Fax: 1-888-842-1332

Email: Schoolabuseclassaction@crowco.ca

Website: www.Schoolsforthe deafclassaction.ca

OPT OUT FORM

This is **NOT** a claim form. Completing this OPT OUT FORM will exclude you from receiving any compensation arising out of any settlement or judgment in the class proceeding:

To: School Abuse Class Action Administrator
 c/o Crawford & Company Inc.,
 3-505 133 Weber St. N.,
 Waterloo ON N2J 3G9

I understand that by opting out, I am confirming that I do not wish to participate in the *Welsh v. Ontario* class proceeding relating to the Ernest C. Drury School for the Deaf (formerly the Ontario School for the Deaf, Milton), the Sir James Whitney School for the Deaf (formerly the Ontario Institute for the Education of the Deaf and Dumb and the Ontario School for the Deaf), and the Robarts School for the Deaf.

I understand that any individual action must be commenced within a specified limitation period or it will be legally barred.

I understand that the certification of this class proceeding suspended the running of the limitation period from the time the class proceeding was filed. The limitation period will resume running against me if I opt out of this class proceeding.

I understand that by opting out, I take full responsibility for the resumption of the running of any relevant limitation period and for taking all necessary legal steps to protect any claim I may have.

Date _____

 Signature of Witness
 Name:

 Signature of Class Member Opting Out
 Name:

 Print Name

 Print Name

Telephone: _____

Email: _____

Note: To opt out, this coupon must be properly completed and received at the above-address no later than September 1, 2017.