

NOTICE OF SETTLEMENT APPROVAL HEARING

Read this notice carefully as it may affect your legal rights.

On December 30, 2020, Plaintiffs John Brandone, Berta Ricciuti, and Vince Basciano instituted a class action in the district of Montreal against Defendants Recy-Béton Inc. and Trans-Canada Crushing Ltd. for damages and inconveniences they alleged to have suffered due to dust emissions from facilities owned by the Defendants at the time.

The class members concerned by this class action are as follows:

"All persons who, between December 30, 2017, and April 30, 2022, were owners, tenants or residents of immovables located in the Borough of Rivière-des-Prairies-Pointe-aux-Trembles, in the City of Montreal (Quebec), within a 2-kilometre radius from the limits of the Defendants' property located at 10575 Henri-Bourassa Blvd. East"

Following the institution of this class action, a settlement agreement was reached, without any admission of liability and for the sole purpose of putting an end to the litigation in the mutual interest of all parties concerned.

On July 8, 2024, the Superior Court authorized the bringing of the class action for the sole purpose of approving a settlement, and granted John Brandone, Berta Ricciuti, and Vince Basciano the status of representatives for the purpose of instituting the class action on behalf of the class members.

The common issue to be dealt with collectively for the sole purpose of the settlement will be the following:

Were the dust emissions from the Defendant's activities excessive or did they constitute abnormal neighbourhood annoyances, and, if so, are class members entitled to compensation.

Does this settlement concern you?

This settlement applies to you if you are a class member. You are a class member if you are a person who, between December 30, 2017, and April 30, 2022, were owner, tenant, or resident of immovables located in the Borough of Rivière-des-Prairies-Pointe-aux-Trembles, in the City of Montreal (Quebec), within a 2-kilometre radius from the limits of the Defendants' property located at 10575 Henri-Bourassa Blvd. East.

Which class members are eligible for compensation?

In the context of the settlement discussions, the Defendants mandated SNC Lavalin to prepare a report based on simulations to assess the intensity and potential impact of the dust hypothetically emanating from the Defendants' facilities with a view to identifying the class members eligible to a compensation in the context of this settlement.

Under the terms of the settlement agreement reached between the parties, members who have resided at addresses located in zones 1 and 2, as identified in **Appendix A** attached to this notice, are entitled to receive compensation in the amount of \$400.00 for zone 1 and \$200.00 for zone 2. Only one compensation will be distributed per address, regardless of the number of members per household. It is understood that if more than one household has resided at an address between December 30, 2017, and April 30, 2022, the amount of compensation will be divided among each of these households in proportion to the length of their residence during the relevant period.

What happens next?

The Superior Court will hold a hearing to decide whether to approve the settlement. Although your presence is not required, you can attend this hearing, which will be held on **September 5th, 2024 at 9:30 am** at the Montreal Courthouse located at 1 Notre-Dame Street East, in Montreal, Quebec, Canada, in a room 17.09.

If the settlement is approved by the Superior Court, you will receive a notice informing you of the approval judgment and the method by which eligible members will be able to claim their compensation.

What are your rights and options?

Do nothing: If you are an eligible class member, you will benefit from the compensation provided for in the settlement once it has been approved by the Court. You will have no further personal claims against Defendants Recy-Béton Inc. and Trans-Canada Crushing Ltd. arising from the allegations in the class action.

Opt out of the settlement: However, if you do not wish to benefit from the settlement, you may opt out of the class action. You will not receive any benefits from the settlement. You will retain any personal claim you may have against the Defendants Recy-Béton Inc. and Trans-Canada Crushing Ltd.

It is important to note that opting out does not guarantee that you will receive more and that the Defendants Recy-Béton Inc. and Trans-Canada Crushing Ltd. may assert a defense to your personal claim. In addition, if you choose to opt out, you should be aware that there are strict legal time limits that must be met with respect to your personal claim. By opting out, you assume full responsibility for taking all necessary legal action in respect of your personal claim.

If you wish to opt out, you must send a signed letter to the Court indicating (i) your contact information (full name, current address, e-mail address and telephone number), (ii) that you are a class member, (iii) that you wish opt out and (iv) the reason for your exclusion.

You must submit your signed letter within 45 days of July 8, 2024, to the following address:

Clerk of the Superior Court of Québec
Montréal Courthouse
1, Notre-Dame East St.
Office 1.120
Montréal (Québec) H2Y 1R5
File number: 500-06-001116-207

A copy of your signed letter should also be forwarded to:

The attorneys for the class representatives and the class:

LCM Avocats inc.
a/s Mtre. Anaïs Kadian
600 de Maisonneuve West, Office 2700
Montréal, Québec, H3A 3J2
E-mail: akadian@lcm.ca
Phone: 514-375-2665
Fax: 514-905-2001

And the attorneys for the Defendants Recy-Béton Inc. and Trans-Canada Crushing Ltd.:

Woods s.e.n.c.r.l.
a/s Mtre. Marie-Louise Delisle et Mtre. Érika Normand-Couture
2000, avenue McGill College, bureau 1700
Montréal, Québec, H3A 3H3
E-mail: mldelisle@woods.qc.ca
ecouture@woods.qc.ca
Phone: 514-370-2698
Fax: 514-284-2046

Contesting the settlement: All of the terms and conditions of the settlement were negotiated in good faith between the Plaintiffs, the attorney for the class representatives and the class and the attorneys for the Defendants. In addition, the Plaintiffs and their attorneys confirm that the settlement is in the best interests of the class members. Although your presence is not required at the settlement approval hearing, you have the right to make representations with respect to the settlement at that hearing, including whether to approve the settlement or to contest it.

If you wish to contest the settlement, you must send the Court a written and signed contestation indicating (i) your contact information (full name, current address, e-mail address and telephone number), (ii) a statement that you wish to contest the approval of the settlement, (iii) the reasons for your contestation, including supporting documents if applicable, and (iv) an indication of your intention to be present at the settlement approval hearing, as well as the name, address, telephone number and e-mail address of your attorney if you are represented by counsel.

You must submit your written and signed contestation, no later than 45 days of July 8, 2024, to the Clerk of the Superior Court of Québec at the address indicated above. A copy of your written and signed contestation must also be forwarded to the attorneys for the class representatives and the class and to the attorneys for the Defendants at their respective addresses indicated above. The contestation may be made on behalf of a single class member or on behalf of several class members residing at the same address.

Are class members represented by counsel in this matter?

Yes. LCM Avocats inc. represents the class members. Their contact information is provided above. These attorneys will not charge you anything. If you wish to be represented by your own attorney, you may do so at your own expense.

This notice and its publication have been approved and authorized by the Superior Court of Québec.