

NOTICE TO CLASS MEMBERS – PROPOSED SETTLEMENT AGREEMENT

MAHMOUD V. LA SOCIÉTÉ DES CASINOS DU QUÉBEC INC.
500-06-000805-164

PROCEEDINGS

On August 12, 2016, a class action lawsuit, amended on December 5, 2016, was filed against the Société des Casinos du Québec Inc. on behalf of every consumer, pursuant to the terms of Quebec's Consumer Protection Act (the "CPA"), who, since June 1st, 2015 (the "Class Period"), purchased a beverage from the Bar Valet de Carreau, Bar Dame de Coeur, Bar Roi de pique and/or the Bar Poker, all situated in the Casino de Montréal, and who would have been charged, between 12:00 a.m. and 3:00 a.m., on nights from Saturday to Sunday, a higher price than that advertised on the menu. A Settlement Agreement was reached between the parties, subject to the approval of the Superior Court of Quebec.

WHAT IS THIS LAWSUIT ABOUT?

The lawsuit claims that la Société des casinos du Québec Inc. violated section 224 c) of the Quebec *Consumer Protection Act* when it sold certain alcoholic beverages between 12:00 a.m. and 3:00 a.m. on nights from Saturday to Sunday during the Class Period. The Société des Casinos du Québec Inc. denies any wrongdoing, and no court has concluded to any wrongdoing by the Société des Casinos du Québec Inc.

PROPOSED SETTLEMENT AGREEMENT

The Settlement Agreement provides that la Société des Casinos du Québec Inc., without admission of liability, will offer a compensation by reducing the price of selected item(s) of its menu(s) at the Casino de Montréal. The total amount of the Price reduction will consist of the difference between \$102,500 and the amount of fees and disbursements provided for in the Settlement Agreement, subject to Court approval.

A copy of the Settlement Agreement and other related documentation is available online at www.lpclex.com.

SETTLEMENT AGREEMENT APPROVAL HEARING

Before the Settlement Agreement becomes effective, the Superior Court of Québec must approve both the Settlement Agreement and the fees and expenses of Class Counsel. The Court will review them to ensure that they are fair, reasonable and in the best interests of Class Members.

The Approval Hearing will take place on **August 13, 2018 at 9:30 AM** before the Superior Court of Québec, at the Montreal Courthouse, 1 Notre-Dame Street East, in Montreal, Quebec, Canada in room 2.08 (or any other courtroom which will be indicated by the posting of a sign outside of courtroom 2.08). At this hearing, the Court will hear any objection(s) raised by Class Members with respect to the proposed Settlement Agreement, in accordance with the deadlines and procedure set forth below. Class Members who do not oppose the proposed settlement are not required to attend this hearing or to take any action to indicate that they intend to be bound by it.

If you are a Class Member and do not object to the Settlement, you do NOT have to do anything and you do NOT have to attend the Settlement Approval Hearing.

AM I A CLASS MEMBER?

You are a Class Member if you are a consumer, pursuant to the terms of the CPA, who, since June 1st, 2015, purchased a beverage from the Bar Valet de Carreau, Bar Dame de Coeur, Bar Roi de pique and/or the Bar Poker, all situated in the Casino de Montréal, and who would have been charged, between 12:00 a.m. and 3:00 a.m., on nights from Saturday to Sunday, a higher price than that advertised on the menu.

WHAT ARE MY OPTIONS?

If you are a Class Member, you have the following three (3) options:

1. Stay in the Class and benefit from the price reduction of selected menu(s) item(s); or
2. Stay in the Class and object to the settlement if you disagree with the settlement agreement. To object the settlement agreement, you must deliver a written submission by email to jzukran@lpclex.com by August 10, 2018; or
3. Opt out of the Class by sending a letter to exclude yourself no later than August 10, 2018. You may not object to the settlement if you opt out of the Class, but you may pursue your rights against la Société des Casinos du Québec Inc. directly.

Explanations, deadlines and details regarding the process of objecting or opting-out of the settlement are set out below.

WHAT CAN I GET FROM THE PROPOSED SETTLEMENT?

Each Class Member will be entitled to benefit from the price reduction of selected menu(s) item(s) at the Casino de Montréal. The price reduction will be applied to one or more menu items until a total a reduction in the amount of \$42,512.50 is reached, or any other amount determined by the Court not exceeding the difference between \$102,500.00 and the fees and disbursements payable to the Class Counsel as approved by the Court. The reduction in price will be applied to one or more items on one or more menus of restaurant(s) and/or bar(s) (non-alcoholic beverages and food only) of the Casino de Montréal.

WHAT AM I GIVING UP BY STAYING IN THE PROPOSED SETTLEMENT?

Unless you exclude yourself from the Class (opt out), you cannot sue la Société des casinos du Québec Inc. or be part of any other lawsuit against la Société des casinos du Québec Inc. about the issues this settlement resolves. Unless you exclude yourself (opt out), all of the decisions by the Court will bind you. You will be releasing la Société des casinos du Québec Inc. and all related people as described in the Settlement Agreement.

The Settlement Agreement describes the released claims with specific descriptions, so read it carefully. If you have any questions, you can talk to the Class Counsel law firm for free, or you can, of course, talk to your own lawyer (at your own expense) if you have questions about what this means.

HOW DO I EXCLUDE MYSELF FROM THE CLASS? (OPT OUT)

If you want to keep the right to sue or continue to sue la Société des casinos du Québec Inc. based on released claims, you must take the following steps to opt out of the Class.

To exclude yourself from the Class (opt out), you must inform the Court Clerk by sending a letter by mail to the following address:

Superior Court of Québec, Class Action Division
Montreal Courthouse
1 Notre-Dame Street East, Montreal, Quebec H2Y 1B6

In order to be valid, your "Request for Exclusion" must be postmarked no later than **August 10, 2018** and must include ALL of the following information:

- The name and Court number of this proceeding (Mahmoud v. la Société des casinos du Québec Inc. – 500-06-000805-164);
- Your name, email address(es), telephone number(s) and address;

- The words “Request for Exclusion” at the top of the document or a statement requesting exclusion from the Class; and
- Your signature.

You cannot exclude yourself by phone or email. You cannot exclude yourself by mailing a request to any other location or after the deadline. You cannot exclude yourself if you intend to object to the Settlement. Your Request for Exclusion must be signed by you, personally, and not by your lawyer or anyone else acting on your behalf.

IF I DO NOT EXCLUDE MYSELF, CAN I SUE LA SOCIÉTÉ DES CASINOS DU QUÉBEC INC. FOR THE SAME THING LATER?

No. Unless you exclude yourself, you give up the right to sue la Société des Casinos du Québec Inc. for the released claims.

DO I HAVE A LAWYER IN THIS CASE?

Yes. The attorneys representing the Class Members are the law firm LPC Avocat Inc. You will not be charged by this law firm for its work on the case. If you want to be represented by your own lawyer, you may hire one at your own expense.

HOW WILL THE LAWYERS BE PAID?

As part of the settlement of this case, la Société des Casinos du Québec Inc. has agreed to pay Class Counsel an amount not exceeding \$50,000 plus applicable taxes for their fees and \$2500 for their costs, subject to Court approval.

WHAT IF I DISAGREE WITH THE PROPOSED SETTLEMENT?

If you disagree with the proposed settlement, you can object to it by delivering a written submission on or before August 10, 2018. You cannot file an objection to the settlement if you exclude yourself from the Class (opt out). You may also attend the Approval Hearing which will take place on August 13, 2018 in order to present your objection to the court. Your objection must be sent to Class Counsel by letter, email, or fax, and include all of the following information:

- a heading which refers to the name and Court number of this proceeding (Mahmoud v. la Société des casinos du Québec Inc. – 500-06-000805-164);
- your full name, mailing address, telephone number(s), and email address and, if represented by counsel, the name, address, telephone number, fax number, and email address of your counsel;
- a statement whether you intend to appear at the Settlement Approval Hearing, either in person or through counsel;
- a declaration that you consider yourself to be a Class Member;
- a statement of the objection and the grounds supporting the objection;
- copies of any papers, briefs, or other documents upon which the objection is based;
- a declaration under the penalty of perjury that the foregoing information is true and correct.
- your signature.

Do NOT send an objection directly to the Court. Class Counsel will file copies of all objections with the Court.

HOW DO I OBTAIN MORE INFORMATION?

For more information, please contact Class Counsel:

Me Joey Zukran

LPC Avocat Inc.

5800 blvd. Cavendish, Suite 411

Côte St-Luc, Québec, H4W 2T5

514-379-1572 / www.lpclex.com

Please note that in case of any discrepancy between the terms of this Notice and the Settlement Agreement, the terms of the Settlement Agreement shall prevail. Any term not defined in this Notice shall have the meaning ascribed in the Settlement Agreement.

The publication of this notice has been authorized by the Superior Court of Quebec.