

NOTICE OF AUTHORIZATION OF A CLASS ACTION AND SETTLEMENT APPROVAL
HEARING
AUTHORIZED BY THE QUÉBEC SUPERIOR COURT

If you purchased a vacation package from Société en commandite Touram (d.b.a. Air Canada Vacations) on April 19-20, 2016 and your purchase was cancelled shortly thereafter, you may be a member of a class action.

- On September 12, 2017, the Superior Court authorized Mr. Moshe Chetrit (the “**Representative**”) to undertake a class action against Société en commandite Touram, d.b.a. Air Canada Vacations (hereinafter “**Touram**”) regarding vacation packages (flight, hotel, or both) purchased by consumers on April 19-20, 2016 and cancelled by Touram during the following days. The Representative believes that Touram breached the *Consumer Protection Act*. The parties reached a settlement before going to trial in this matter. Touram denies any wrongdoing, and no court has concluded to any wrongdoing by Touram.
- **The judgment authorizing this class action and the proposed settlement may affect your rights, whether you take action or not. Please read this notice carefully.**

Your Rights Regarding This Class Action:	
OPT OUT	If you opt out, you will not receive any payment if the settlement is approved by the Court or if the Court grants a final decision in favour of the Representative. This option allows you to pursue your own lawsuit against Touram regarding the cancelled vacation packages identified in this notice.
OBJECT	If you disagree with the proposed settlement, you can object to it and your objection will be considered by the Court when deciding whether to approve the settlement.
DO NOTHING	If you are a class member and you agree with the purpose of this class action and the proposed settlement, you have nothing to do to participate in this class action and to receive a payment if the settlement is approved by the Court.

These rights – **and the deadline for exercising them** – are explained in this notice.

QUESTIONS?

Contact the law firm LPC Avocat Inc. at 514-379-1572
or visit <https://lpclex.com/air-canada-vacations/>

THE CLASS ACTION

1. Why are you receiving this notice?

On September 12, 2017, the Superior Court authorized the Representative to bring a class action against Touram. Afterwards, the Court considered that it was justified to grant a postponement before proceeding to this step of the class action. Since the postponement, the parties have reached a settlement. This notice explains how the class action works, who the class members are, and what their rights are.

2. What is a class action?

It is a legal procedure instituted by an individual called the “Representative Plaintiff” on behalf of everyone who faces a similar problem, called the “class”. A class action allows the Court to rule on the dispute regarding all class members, except for those who choose to opt out. In this class action, Mr. Moshe Chetrit acts as the class Representative.

3. What is this class action about?

The Representative instituted a class action against Touram regarding the cancellation of vacation packages by Touram. The Representative argues that Touram contravened the *Consumer Protection Act* by cancelling vacation packages (flight, hotel, or both) after their purchase due to an alleged pricing error. The Representative alleges that Touram failed in its obligation to honour the vacation packages at their advertised price. Touram denies any wrongdoing, and no court has concluded to any wrongdoing by Touram.

This class action seeks to obtain a judgment ordering the payment of compensatory damages and punitive damages to be later determined.

THE CLASS MEMBERS

4. Who is a class member?

You are a class member if you are a consumer, within the meaning of the *Consumer Protection Act*, who purchased a vacation package (flight, hotel, or both) from Touram on April 19-20, 2016 and who, after receiving a purchase confirmation at the price initially displayed, subsequently had your purchase cancelled by Touram.

5. How do I participate in this class action?

If you are a class member and agree with this class action against Touram and the proposed settlement, you have nothing to do to participate in this class action.

SETTLEMENT AGREEMENT APPROVAL HEARING

6. What is the proposed settlement?

The Settlement Agreement provides for the following, subject to Court approval:

1. Touram shall pay to the class members a maximum amount of \$55,200.

2. Class counsel's legal fees and expenses of \$25,513.83 (inclusive of all taxes) will be paid by Touram.
3. Each class member will be eligible to obtain \$587.23, for each passenger on their cancelled vacation package reservation, which shall be paid by cheque.
4. Touram will pay the Representative an indemnity of \$2,500.

The Settlement Agreement and documents pertaining to this class action are available at <https://lpclex.com/air-canada-vacations/>

7. What is the next step regarding the proposed settlement?

The Superior Court of Québec must approve the Settlement Agreement before it can take effect. The Court will review the terms of the Settlement Agreement to ensure that they are fair, reasonable and in the best interests of the class members.

The Final Approval Hearing will take place on **December 18, 2019 at 9:30 a.m.** before the Superior Court of Québec, at the Montreal Courthouse, 1 Notre-Dame Street East, in Montreal, Quebec, Canada in courtroom **2.08**. At this hearing, the Court will hear any objection filed by class members regarding 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.

OPTING OUT

This is your only chance to opt out from the class action.

8. What happens if I opt out?

If you decide to opt out of the class action, you retain your right to institute your own lawsuit against Touram regarding the described vacation packages and you will not be bound by the judgments rendered by the Court in this class action. Also, you will **not** be entitled to receive a payment if the settlement is approved by the Court, or if the Court grants a final decision in favour of the Representative.

9. What happens if I do not opt out or if I do nothing?

If you do not opt out of the class action or if you do nothing, you will be entitled to receive a payment if the settlement is approved by the Court, or if the Court grants a final decision in favour of the Representative. As such, you give up your right to institute your own lawsuit against Touram regarding the described vacation packages and will be bound by the judgments rendered by the Court in this class action.

10. How do I opt out?

If you do not wish to be part of this class action, you can opt out by sending to the clerk of the Superior Court a signed letter containing the following information:

- The class action file number and name: 500-06-000865-176 (*Chetrit v. Société en commandite Touram*).
- Your name, current address and telephone number.
- Your statement: “I am a class member and I wish to opt out of the class action”.
- Your signature.

You must send your letter by registered mail, with a copy by email to Class Counsel, by November 29, 2019 at the following address:

Clerk of the Superior Court of Québec
 File: 500-06-000865-176
 Montreal Courthouse
 1, Notre-Dame East Street, Suite 1.120
 Montréal (Québec) H2Y 1B6

OBJECTING TO THE PROPOSED SETTLEMENT

11. What should I do if I disagree with the proposed settlement?

If you disagree with the Settlement Agreement but you do not wish to opt out of the class action, you can object to the Settlement Agreement by delivering a written submission on or before **November 29, 2019**, filed with the Court and Class Counsel and/or Touram’s counsel in accordance with Section 4(a) of the proposed Settlement Agreement and containing the following information:

- A heading referring to this proceeding (*Chetrit v. Société en commandite Touram – 500-06-000865-176*).
- Your name, current address, and telephone number and, if represented by counsel, the name of your counsel.
- A statement that you purchased a vacation package during the period of time described in the settlement class definition.
- A statement whether you intend to appear at the Final Approval Hearing, either in person or through counsel.
- 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.
- Your signature.

You must send your letter by registered mail, with a copy by email to Class Counsel, at the following address:

Clerk of the Superior Court of Québec
 File: 500-06-000865-176
 Montreal Courthouse
 1, Notre-Dame East Street, Suite 1.120
 Montréal (Québec) H2Y 1B6

Please note that the Court cannot change the terms of the settlement. Any objections will be used by the Court to consider whether to approve the settlement or not.

CLASS COUNSEL

12. Who are the lawyers working on this class action?

The law firm LPC Avocat Inc. represents the Representative, and therefore, the class members. You may contact LPC Avocat Inc. using the contact information found at the end of this notice.

13. Are there fees for the class members?

You do not have to pay the lawyers working on this class action. Class counsel have taken this case on a contingency agreement, and Touram will be paying their legal fees and disbursements, subject to Court approval.

If the settlement is approved by the Court or if the Court grants a final decision in favour of the Representative, the lawyers representing the Representative and the class will be paid, as the case may be, from the damages awarded through the class action or from the settlement amount. The Court will be asked to decide the reasonableness of the fees and costs requested by Class Counsel.

FOR MORE INFORMATION

If you have questions, you can contact the Representative's lawyers, the law firm LPC Avocat Inc., by mail, email or phone. Your name and any information provided will be kept confidential.

Please do not contact Touram, Air Canada, nor any of the judges of the Superior Court.

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This notice has been approved by the Superior Court of Quebec.