

**LONG FORM NOTICE TO CLASS MEMBERS OF A CLASS ACTION AGAINST
SOCIÉTÉ DES LOTERIES DU QUÉBEC INC. AND LA SOCIÉTÉ DES CASINOS DU
QUÉBEC INC. (“LOTO-QUÉBEC”)**

TAKE NOTICE that on February 10, 2021, the Honourable Mr. Justice Martin F. Sheehan of the Superior Court of Québec authorized a class action against Loto-Quebec, brought by the Plaintiff, Ms. Elisabetta Bertucci, on behalf of all persons who, between July 9, 2019 and March 15, 2021, paid any sum of money to Loto-Québec to play Texas Hold'em Poker on the OK Poker platform.

1) WHAT IS THIS CLASS ACTION ABOUT?

This class action concerns allegations that, between July 9, 2019 and May 18, 2020, only users using iPads could see the mucked pocket cards of winners of uncontested hands in the hand history, and thereby would have gained an undue advantage over users using computers to play Texas Hold'em Poker on the OK Poker Platform.

The Court has not yet decided whether the Plaintiff's claims are well founded, and the allegations in the class action have not yet been proven. The Defendants are contesting the merits of the class action and submit, among other things, that all users could have access to the same information in the hand history, regardless of the device used to play.

This class action will be brought in the district of Montreal.

2) WHO IS CONCERNED BY THIS CLASS ACTION?

This class action was authorized on behalf of the following Class:

All persons who, between July 9, 2019 and the date of publication of the notices to members of the judgment authorizing the class action, paid any sum of money to Loto-Québec to play Texas Hold'em Poker on the OK Poker platform.
(the “**Class Members**”)

3) WHAT STEPS SHOULD I TAKE TO PROTECT MY RIGHTS?

If you are part of the Class described above, you are automatically included in this class action. **If you wish to remain a part of this class action and be included in any judgment reached, you do not have to do anything at this time.**

4) WHAT IS THE GOAL OF THIS CLASS ACTION?

The goal of this class action is to obtain an order condemning the Defendants to pay the Class Members the amounts that the latter paid to play Texas Hold'em poker on the OK Poker platform until and including the date of publication of the notices to members of the judgment authorizing the class action. Punitive damages are also claimed for the benefit of Class Members. The Plaintiff also seeks an order compelling the Defendants to change

the nicknames of all users who paid any sum of money to Loto-Quebec to play Texas Hold'em Poker on the OK POKER platform. The action will be contested by the Defendants.

5) WHAT ARE THE CLASS-WIDE ISSUES THAT THIS CLASS ACTION WILL DECIDE?

The authorization judgment of February 10, 2021 identified the principal questions of facts and law that will be dealt with collectively as follows:

1. Between July 9, 2019 and May 18, 2020, was it possible for players to see the mucked pocket cards of the winners of uncontested hands (the "Cards") in the hand history on the OK Poker platform?
2. If the answer to question 1 is that only certain players could see the Cards:
 - a) Did the Defendants have an obligation to inform Class Members that certain players could see the Cards in the hand history?
 - b) If so, did the Defendants fail to fulfill that obligation?
 - c) Did the Defendants fail to provide an equal playing field to Class Members?
 - d) If the answer to either questions 2b) or 2c) is yes, does that constitute a fault pursuant to the Civil Code of Quebec?
 - e) If the answer to either questions 2b) or 2c) is yes, did the Defendants violate sections 41, 221(g) or 228 of the *Consumer Protection Act* ("CPA")?
3. If questions 2D and/or 2E are answered in the affirmative:
 - a) Are the Plaintiff and the Class Members entitled to claim compensatory damages under article 1407 of the Civil code of Quebec and/or article 272 of the CPA?
 - b) Are the Plaintiff and the Class members entitled to claim punitive damages pursuant to section 272 CPA?
 - c) Is collective recovery of compensatory and punitive damages appropriate and, if yes, on what basis should they be assessed?
 - d) Should an injunction be issued to order the Defendants to change the nicknames of all users who paid any sum of money to Loto-Quebec to play Texas Hold'em Poker on the OK POKER platform?

6) WHAT ARE THE PRINCIPAL CONCLUSIONS SOUGHT BY THIS CLASS ACTION?

The authorization judgment identified the conclusions sought by the class action as follows:

ALLOW the class action of the Representative Plaintiff and the members of the Class against the Defendants;

ORDER the Defendants to change the nicknames of all users who paid any sum of money to Loto-Quebec to play Texas Hold'em Poker on the OK Poker platform;

CONDEMN the Defendants, solidarily, to pay the Representative Plaintiff damages in the amount of \$1,905.00;

CONDEMN the Defendants, solidarily, to pay the Class members the amounts that they paid to play Texas Hold'em poker on the OK Poker platform until and including the date of publication of the notices to members of the judgment authorizing the class action and **ORDER** that this condemnation be subject to collective recovery;

CONDEMN the Defendants, solidarily, to pay the Representative Plaintiff and Class members the sum of \$300 each, subject to adjustment, in punitive damages and **ORDER** that this condemnation be subject to collective recovery;

CONDEMN the Defendants, solidarily, to pay interest and the additional indemnity on the above sums according to law from the date of service of the Application to authorize a class action and **ORDER** that this condemnation be subject to collective recovery;

ORDER the Defendants, solidarily, to deposit in the office of this Court the totality of the sums which form part of the collective recovery, with interest and costs;

ORDER that the claims of individual Class members be the object of collective liquidation if the proof permits and alternately, by individual liquidation;

CONDEMN the Defendants, solidarily, to bear the costs of the present action including the cost of exhibits, notices, the cost of management of claims and the costs of experts, if any, including the costs of experts required to establish the amount of the collective recovery orders, if any;

7) CAN I SPEAK TO THE COURT ABOUT THIS CLASS ACTION?

A Class Member may seek to intervene before the Court in this class action. The Class Member's application for intervention will be granted if it is considered useful. If you intervene or retain counsel for this purpose, you will be responsible for any associated legal costs.

A Class Member, other than a representative plaintiff or an intervener, may not be required to pay the legal costs of the class action.

8) WHO REPRESENTS THE CLASS?

The Québec Superior Court has appointed Ms. Elisabetta Bertucci as Representative Plaintiff of the Class.

The law firm LPC Avocat Inc. is Class Counsel. Class Members will not be asked to pay out-of-pocket for the legal costs arising from the class action. In general, Class Counsel is only paid if monetary benefits or other benefits are obtained for the Class.

9) HOW CAN I OPT-OUT OF THIS CLASS ACTION?

If you wish to exclude yourself from this class action, you have to notify the registry of the Superior Court of Quebec, District of Montreal by **no later than April 29, 2021**, by registered or certified mail at this address:

Superior Court of Québec, 1 Notre-Dame street East, Montreal, H2Y 1B6.

You must state that you wish to exclude yourself from the class action of *Bertucci v. Loto-Québec* (case number 500-06-001073-200).

The date after which a class member can no longer request his or her exclusion from the class, unless specifically authorized by the Court, is **April 29, 2021**.

If you opt-out: You will not be able to participate in this class action, and you will not be bound by any judgment or eligible to participate in any settlement reached in this class action. You will keep any right you have to sue the Defendants in your own, individual case.

If you do not opt-out: You will be able to participate in this class action, and you will be bound by any judgement or settlement reached in this class action.

10) WHERE CAN I GET MORE INFORMATION?

You may register with Class Counsel to receive updates on the progress of this class action. You can do this by visiting Class Counsel's website at www.lpclex.com/poker. You may also contact Class Counsel, whose contact information appears below. Your name and any information provided to Class Counsel will be kept confidential. **Please do not contact Loto-Québec or the Judges of the Superior Court:**

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THE PUBLICATION OF THIS NOTICE TO CLASS MEMBERS HAS BEEN APPROVED AND ORDERED BY THE SUPERIOR COURT OF QUÉBEC.