

**LONG-FORM NOTICE OF HEARING FOR SETTLEMENT APPROVAL, OPT-OUT AND
DISCONTINUANCE
(S.C.M no. 500-06-001243-233)**

If you purchased a product subject to an Environmental Handling Fee from a Pharmaprix store in Québec between December 11, 2019 and June 8, 2023, this class action settlement notice concerns you.

On May 29, 2023, a Quebec consumer (the “**Plaintiff**”) filed an Application to Authorize the Bringing of a Class Action and to Appoint the Status of Representative Plaintiff (the “**Application for Authorization**”) (as amended thereafter) against certain Defendants including Loblaw Companies Limited (“**Loblaw**”) and Shoppers Drug Mart Inc. (“**Shoppers**”) regarding the prices advertised and charged in independently owned stores operating under the Pharmaprix banner (“**Pharmaprix**”) in the province of Québec for products subject to Environmental Handling Fees (“**EHF**”). The Plaintiff essentially alleges that the price of products subject to EHF was not properly advertised (displayed) in Pharmaprix, and that a price higher than the one prominently advertised was charged for these products.

Loblaw and Shoppers deny the allegations in the Application for Authorization, deny any liability or wrongdoing and were prepared to vigorously contest the proposed class action, and no Court has concluded that there was any wrongdoing by Loblaw, Shoppers or Pharmaprix.

The Plaintiff, Loblaw and Shoppers reached a settlement agreement, without any admission of liability or wrongdoing on the part of Loblaw and Shoppers (the “**Settlement Agreement**”). The Settlement Agreement provides that the Parties agreed to discontinue the claims against Loblaw (the “**Discontinuance**”). This Settlement Agreement is subject to the approval of the Superior Court of Quebec. The Settlement approval hearing will take place on March 20, 2025, at 9:30 a.m. in room 2.08 of the Montreal Courthouse located at 1 Notre-Dame East Street, Montreal, QC, H2Y 1B6 or any other room designated by the judge sitting in room 2.08 on that day.

The judgment authorizing this class action for settlement purposes and the proposed Settlement Agreement may affect your rights. Please read this notice carefully.

THE CLASS ACTION

What is the purpose of this notice?

On December 19, 2024, the Superior Court of Quebec authorized the class action for settlement purposes only on behalf of the Class Members (defined below) against Loblaw and Shoppers, and, amongst other things, approved this notice. The Court has not taken a position as to the truth or merits of the claims or defences asserted by either side. The allegations made by the Plaintiff have not been proven in Court.

Am I a class member?

You are a Class Member if you are a natural or legal person in the province of Quebec who purchased a product subject to an Environmental Handling Fee from Pharmaprix in Québec between December 11, 2019 and June 8, 2023 (the “**Class Period**”).

The meaning of “Environmental Handling Fee” (or “EHF”) is defined in Article 1 of the Settlement Agreement accessible on Class Counsel’s website: www.lpclex.com/pharmaprix-ecofrais.

What is this class action about?

The claims asserted against Shoppers and Loblaw in the Application for Authorization are based, essentially, on an allegation that Pharmaprix did not properly advertise (display) the price of products subject to EHF it offered for sale in Quebec, and that it charged a total price including EHF higher than displayed for these products or allowed by law.

THE SETTLEMENT AGREEMENT APPROVAL HEARING

What is the proposed settlement?

Shoppers agreed to settle the class action in exchange for a full release of the Released Claims, as defined in the Settlement Agreement. This includes any complaint that the price or EHF charged by a Pharmaprix store was higher than the price or the EHF advertised or displayed for same (for example, on its packaging, a shelf-label, an in-store display or advertisement, including on a technological support).

The Settlement Agreement provides for the following, subject to Court approval. Shoppers has agreed to a settlement amount of \$300,000.00. This sum is designated for two purposes: to provide compensation to Class Members in the form of a discount (the “**Discount**”), and to pay Class Counsel’s extrajudicial fees (\$90,000.00 plus taxes) and expenses (\$11,349.07 taxes included), subject to Court approval, which will be subtracted from the total settlement fund. The remaining balance will then be allocated entirely to customer Discounts. **The Discount will be off 50% of the regular price of batteries purchased in a Pharmaprix store during ninety (90) days or until the funds are depleted.**

The Settlement Agreement and documents pertaining to this class action are available on Class Counsel’s website.

If the Settlement Agreement is approved by the Court and you do not wish to opt-out, you do not need to submit a claim as the Discount will be made available to every consumer.

Compensation as described above will only be issued if the Court grants final approval of the Settlement Agreement and after the time for appeals has ended and any appeals are resolved.

What is the next step regarding the proposed settlement?

The Superior Court of Quebec 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 **March 20, 2025**, at **9:30 a.m.** in room **2.08** of the Montreal Courthouse located at 1, Notre-Dame Street East, Montreal, QC, H2Y 1B6, or in any other room designated by the judge sitting in room 2.08 on that day or via a TEAMS link to be posted on the Settlement Website. 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

Agreement are not required to attend this hearing or to take any action to indicate that they intend to be bound by it.

DISCONTINUANCE IN FAVOUR OF LOBLAW

In the context of this class action, there was a discontinuance with respect to Loblaw. If the Court allows the discontinuance, the action against Loblaw will be terminated. Limitation periods will no longer be suspended.

OPTING OUT: THIS IS YOUR ONLY CHANCE TO OPT OUT OF THE CLASS ACTION

What does it mean to “opt out”?

Opting out means that you choose not to be part of the class action lawsuit. If you opt out, the judgments rendered by the Court in this class action will not apply to you.

How do I opt out?

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

1. A heading referring to this proceeding (*Ohayon v. Dollarama S.EC. et al.*, 500-06-001243-233).
2. Your name, current mailing address and email address.
3. Your statement: “I am a class member and I wish to opt out of the class action with regards to Shoppers Drug Mart Inc.”
4. Your signature.

You must send your letter by March 14, 2025, to the following address:

To: Clerk of the Superior Court of Québec
File: 500-06-001243-233
Montreal Courthouse
1 Notre-Dame Street East, Suite 1.120
Montreal (Quebec) H2Y 1B6

You may also send your opt out request to Class Counsel by email (jzukran@lpclex.com).

Objections to 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 your objection by March 14, 2025, filed with the Court or sent to Class Counsel by email, and containing the following information:

- A heading referring to this proceeding (*Ohayon v. Dollarama S.EC. et al.*, 500-06-001243-233).
- Your name, current address, and telephone number and, if represented by counsel, the name, address, and telephone number of your counsel.
- A statement confirming that you purchased a product subject to an Environmental Handling Fee from Pharmaprix during the Class Period.

- A statement as to whether you intend to appear at the Settlement Approval Hearing in person or by legal counsel and, if by legal counsel, the name, address, telephone number, fax number and email address of such legal 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 mail at the following address:

To: Clerk of the Superior Court of Quebec

File: 500-06-001243-233

Montreal Courthouse

1 Notre-Dame Street East, Suite 1.120

Montreal (Quebec) H2Y 1B6

Copy to Mtre. Joey Zukran

LPC Avocats

276 Saint-Jacques Street, Suite 801

Montreal, Quebec, H2Y 1N3

Email: jzukran@lpclex.com

You may also appear in Court on the day scheduled for the hearing, i.e. March 20, 2025.

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

Who are the lawyers working on this class action?

The law firm LPC Avocats represents the Plaintiff and the Class Members. You may contact them using the contact information found at the end of this notice.

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. If the Settlement Agreement is approved by the Court, Class Counsel will be paid from the amount provided in the Settlement Agreement. Class Counsel is asking the Court to approve its extrajudicial fees in the amount of \$90,000.00 (plus taxes), and its disbursements in the amount of \$11,349.07 (inclusive of taxes). The Court will decide on the reasonableness of the fees and costs paid to Class Counsel.

FOR MORE INFORMATION

If you have questions, you can contact Class Counsel by mail, email or phone. Your name and any information provided will be kept confidential. Please do not contact Pharmaprix, Shoppers, Loblaws, or any of the judges of the Superior Court of Quebec:

Mtre. Joey Zukran

LPC Avocats

276 Saint-Jacques Street, Suite 801

Montreal, Quebec, H2Y 1N3

Telephone: (514) 379-1572
Email: Jzukran@lpclex.com

Settlement website: www.lpclex.com/pharmaprix-ecofrais

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