

**ABRIDGED NOTICE
CLASS ACTION
AUTHORIZED BY THE COURT
150-06-000007-138**

**COSTS OF PURCHASING TEXTBOOKS, INSTRUCTIONAL MATERIAL AND COSTS OF
EDUCATION SERVICES AT THE PRIMARY AND SECONDARY LEVELS
68 SCHOOL BOARDS**

TAKE NOTICE that, on December 6, 2016, the Honourable Mr. Justice Carl Lachance of the Superior Court of Québec authorized the bringing of a class action against the defendants, being 68 school boards, on behalf of persons forming part of the class described below, being:

“All persons who have paid, as parents, tutors, or assignees, for their children registered in one of the schools forming part of the educational institutions of the respondents, costs for education services (...) and for the purchase of textbooks or instructional material, mandatory or optional, required for the teaching of programs of studies of elementary and secondary education, as well as costs for reference and reading material, as of the 2009-2010 school year, but for the ten (10) school boards listed at paragraphs 20. i., ii, iii, iv, v, vi, x, xii, xiii, and xv as of the 2008-2009 school year, until the judgment date, that are not subject to the exception contemplated by section 7 of the *Education Act* (CQLR c I-13.3), subject to certain reservations with respect to the *Commission scolaire des Samares* for which the following clarifications should be made:

- ◆ With respect to the *Commission scolaire des Samares*, all of the matters that were the subject of the discontinuance recorded in the minutes of the hearing dated February 27, 2012 in the court record 705-06-000005-109 of the Superior Court of the district of Joliette will be excluded from the claim;”

Ms. Daisye Marcil has been appointed representative plaintiff for the class action;

The conclusions sought by Ms. Marcil may be summarized as follows:

- DECLARE the defendants liable for the pecuniary losses and damages suffered by the plaintiff and by each of the members of the class;
- CONDEMN the defendants, subject to the reservations concerning the *Commission scolaire des Samares*, to reimburse each of the members of the class for the costs paid for required textbooks, instructional material required for the teaching of programs of studies, the education services imposed on parents, tutors, or assignees, as well as the costs paid for reference and reading material, as of the 2009-2010 school year;

For the following school boards, as of the 2008-2009 school year:

- *Commission scolaire de la Capitale;*
 - *Commission scolaire du Chemin-du-Roy;*
 - *Commission scolaire des Découvreurs;*
 - *Commission scolaire de l'Énergie;*
 - *Commission scolaire De La Jonquière;*
 - *Commission scolaire du Lac-St-Jean;*
 - *Commission scolaire des Navigateurs;*
 - *Commission scolaire du Pays-des-Bleuets;*
 - *Commission scolaire des Premières-Seigneuries;*
 - *Commission scolaire des Rives-du-Saguenay.*
- ORDER the defendants to cease all measures to claim and/or recover these costs from members of the class;
 - ORDER the defendants to provide, free of charge, the education services, the textbooks, the instructional material, and any other document of like nature required for the teaching of programs of studies in accordance with the *Education Act*, as well as reference and reading material;
 - CONDEMN the defendants to pay for each of the members of the class an amount of \$100 as punitive damages;

If you wish to remain included in the class action, you have nothing to do.

If you are not a representative or an intervener, you cannot be required to pay legal costs arising from the class action.

Any member of the class who wants to opt out may do it by completing the electronic Opting Out Form available at <https://formulaireexclusion150-06-000007-138.org/>, before September 1st, 2017 at 4:30 PM. The electronic signature will attest that the member is willing to opt out.

Any member of the class who wants to opt out may also print and fill the form available at <https://formulaireexclusion150-06-000007-138.org/>, duly sign it and send it by registered or certified mail to the clerk of the Superior Court of Québec in the district of Chicoutimi on or before **September 1st, 2017** at the following address:

Greffe
Cour supérieure du Québec
Palais de justice de Chicoutimi
 227 Racine Street East
 Chicoutimi (Québec) G7H 7B4

A class member may request to opt out of the class action before September 1st, 2017 at 4:30 PM.

If you opt out, you cannot obtain payment if the class action is granted or if the action is settled.

Any member of the class who is not excluded from the class will be bound by any judgment rendered in the class action.

Any member of the class who has already introduced a personal action having the same subject matter as the class action is deemed to opt out of the class if he does not discontinue his personal action prior to the deadline for opting out of the class.

A class member may seek to intervene in the class action, which intervention will be authorized if the Court is of the opinion that the intervention will be helpful to the class.

This notice is an abridged version of the complete notice. In the event of a conflict between the two versions, the complete notice will prevail.

A new notice will be published once a final judgment has been rendered in this action;

A detailed notice to members with respect to this class action, including the formalities pertaining to the procedure for opting out of the class, is available at the court office of the Superior Court of Québec, district of Chicoutimi; you may also contact counsel for the class and the representative plaintiff by providing them with your e-mail address or other address.

The address of ad litem counsel for the representative plaintiff and the members of the class is:

Me Manon Lechasseur
Me Yves Laperrière
Aubin Côté, avocats
1700 Talbot Blvd., Suite 310
Chicoutimi (Québec) G7H 7Y1
Telephone: 418-543-0786
Fax: 418-543-9932
E-mail: mlechasseur@aubincoteavocats.ca
E-mail: ylaperriere@aubincoteavocats.ca

The address of counsel for the representative plaintiff and the members of the class is:

Me Lucien Bouchard
Me Jean-Philippe Groleau
Davies Ward Phillips & Vineberg, s.e.n.c.r.l., s.r.l./LLP
1501 McGill College Avenue, Suite 2600
Montréal (Québec) H3A 3N9

Telephone: 514-841-6400
E-mail: jpgroleau@dwpv.com

The address of counsel for the defendants (all of the school boards except for the 5 school boards on the Island of Montréal) is:

Me Bernard Jacob
Me Mélanie Charest
Me Marie-Andrée Gagnon
Morency, société d'avocats
Édifice Le Delta 3
2875 Laurier Blvd., Office 200
Québec (Québec) G1V 2M2
Telephone: 418-651-9900
E-mail: mcharest@morencyavocats.com

The address of counsel for the defendants (the 5 school boards on the Island of Montréal) is:

Me Malaythip Phommasak
Meagher Phommasak, avocates
500 Crémazie Blvd. East
Montréal (Québec) H2P 1E7
Telephone: 514-384-1830
E-mail: malaythip.phommasak@cgtsim.qc.ca

Class members may consult the central registry of class actions at the following address:

www.tribunaux.qc.ca

THE PUBLICATION OF THIS NOTICE HAS BEEN ORDERED BY THE COURT.