

NOTICE OF CERTIFICATION AND PROPOSED SETTLEMENT APPROVAL HEARING OF THE SEVEN OAKS HOME FOR THE AGED CLASS ACTION

This Notice may affect your rights. Please read carefully.

Notice of Certification and Proposed Settlement

On April 15, 2009, this Action relating to an outbreak of Legionnaires Disease and Pontiac Fever at Seven Oaks Home for the Aged in September and October 2005 was certified as a class action. The Court has made no determination of the merits of the action and the Defendants deny the allegations against them in the Action. Without any admission of liability or wrong, a Settlement Agreement has been reached which must now be approved by the Court.

Who is this Notice For?

This notice is directed to all persons (excluding employees of the City of Toronto and Her Majesty the Queen in Right of Ontario) who, lived, worked or visited at Seven Oaks Home for the Aged, 7 Neilson Road, Toronto, Ontario, or within a radius of three kilometers, between September 1, 2005 and October 13, 2005, and who contracted Legionnaires' Disease or Pontiac Fever ("Class").

It is also directed to the spouse, child, grandchild, parent, grandparent or sibling of a Class member who was admitted to hospital for a period of time ("Family Class").

Terms of the Proposed Settlement

The proposed settlement creates a settlement fund of \$1.2 million from which Class Members may make claims for themselves and related Family Class Members and, if found to be eligible, receive compensation based on whether and for how long they were admitted to hospital ("the Compensation Categories"). Additionally, Class Members who suffered from Pontiac Fever will be eligible to submit claims for payment of \$500 each from a settlement fund of \$12,500.

The settlement also provides an opportunity for certain Class Members and related Family Class Members in more serious cases which resulted in longer hospital admissions to make claims for expenses and lost wages and in the most serious cases to request an individual hearing of their claims if they believe they are entitled to more than the amount proposed in the Compensation Categories.

Details regarding the eligibility criteria, as well other aspects of the settlement, are contained in the settlement agreement which is available at www.sevenoaksclassaction.com

Settlement Approval Hearing on December 12, 2013

The Ontario Superior Court of Justice will hold a hearing on December 12, 2013 at 11:00 am to approve the settlement. It must determine that the settlement is fair, reasonable, and in the best interests of the Class.

What Options Do Class Members Have?

1. Objecting to the Settlement

If you wish to object to the proposed settlement you must submit your objection in writing to Class Counsel by no later than December 5, 2013. A copy of your objection will then be filed with the Court at the time of the settlement approval hearing.

Class members who support or do not oppose the proposed Settlement do not need to appear at the approval hearing.

2. Excluding Yourself from the Class Action

If you do not intend to make an objection to the proposed settlement once it has been approved by the Court at the settlement approval hearing but do not want to be legally bound by the terms of the proposed settlement, an Opt-Out Form must be completed. Persons who opt out of the class action cannot make a claim as part of the settlement of this action.

Opt-Out Forms can be obtained by contacting the Administrator or visiting www.sevenoaksclassaction.com. A completed Opt-Out form must be submitted to the Administrator at the address below by February 28, 2014.

3. Participating in the Settlement

If the settlement is approved, and if a Class Member does not opt out, Class and Family Class members will be entitled to participate in the settlement and will be bound by the terms of the Settlement Agreement.

To request compensation from the Settlement Fund, a Class Member must submit a completed claim form and any supporting documentation to the Administrator at the address, at the end of this Notice on or before 5:00 P.M. EDT, no later than June 12, 2014.

Legal Fees and Disbursements

The Court will also consider a request by Class Counsel for the payment of fees. The settlement proposes that Toronto and Ontario shall pay to Class Counsel \$500,000 plus all applicable taxes as its costs in the action. This amount is inclusive of amounts already paid relating to the certification process and inclusive of disbursements (excluding fees for administration of the settlement and the cost of publishing notice of the certification and proposed settlement). The settlement also proposes an additional payment of 10% to Class Counsel on all amounts paid to Eligible Class Members.

Who is Representing You?

Class and Family Class members are represented by the law firms of **Rochon Genova LLP**, **Sutts, Strosberg LLP** and **Hotz Lawyers**. If you have any questions about the settlement, please contact:

Rochon Genova
121 Richmond St. W, Suite 900
Toronto, Ontario M5H 2K1
(416) 363-1867 or toll-free at
1 (866) 881-2292
www.rochongenova.com

Sutts, Strosberg LLP
251 Goyeau Street #600
Windsor, Ontario N9A 6V4
(519) 561-6296
www.strosbergco.com

Hotz Lawyers
310 Main Street, Suite 204
Milton, Ontario L9T 1P4
(416) 907-6666
www.hotzlawyers.com

Where Can Class Members Get More Information?

For more information, visit www.sevenoaksclassaction.com or contact the Administrator at:

NPT RicePoint Class Action Services
P.O. Box 3355
London, Ontario N6A 4K3
Phone: 1-866-432-5534
Email: sevenoaks@npricepoint.com