

**APPROVAL OF SETTLEMENT OF CLASS ACTION AGAINST THE CITY OF WESTMOUNT FOR VICTIMS OF SEXUAL ABUSE BY JOHN GARLAND**

***PLEASE READ THIS NOTICE CAREFULLY AS IT MAY AFFECT YOUR LEGAL RIGHTS.***

Between 1953 and 1987, John Garland worked in the City of Westmount's Parks and Recreation Department. Mr. Garland misused his position of power and trust to sexually abuse some of the children and teenagers in his care.

On June 5, 2015, the Class Representative, Mr. Benedict Matthew Bissonnette, sought permission to bring a class action against the City of Westmount on behalf of Mr. Garland's victims. While it denies any liability or wrongdoing, the City chose not to fight a lengthy legal battle with victims and rather worked with Mr. Bissonnette to find a way to settle this lawsuit and provide meaningful compensation to victims.

On May 12<sup>th</sup>, 2017, the Superior Court of Quebec approved the Settlement Agreement reached by the parties (Court File No. 500-06-000743-159). Class members can now submit a claim for compensation.

**WHAT IS THE PROPOSED SETTLEMENT?**

The Settlement provides for the creation of a Total Settlement Fund, capped at \$2.5 million (CDN), to resolve the claims of all class members.

Class Members can submit a claim to receive either:

**A. Base Compensation of \$35,000 (CDN).**

- Base Compensation is for admissible claimants who have suffered less severe consequences after being sexually abused on a few occasions;

OR

**B. Base Compensation of \$35,000 + Additional Compensation.**

- Additional Compensation is reserved for admissible claimants that have suffered more severe consequences. This amount will be determined on a *pro rata basis* in accordance with the severity of each

applicant's personal claim and the severity of all eligible claims for Additional Compensation.

The Total Settlement fund will also be used to pay the costs associated with Notices to class members, adjudicative costs, and the fees and expenses of Class Counsel that are approved by the Court.

### **WHO CAN SUBMIT A CLAIM UNDER THE SETTLEMENT?**

**All persons who, from 1953 to 1987, were sexually abused by John Garland while participating in the sports or recreation programs offered by the City of Westmount.**

The estate of any victim who is deceased at or before the expiry of the Claim Deadline can also submit a claim under the Settlement.

### **HOW CAN I CLAIM COMPENSATION UNDER THE SETTLEMENT?**

The Settlement creates **a simple and discreet process for victims to submit a claim while maintaining strict confidentiality**. All information that you provide will only be used by authorized persons in order to process your Claim under the Settlement and will not be used in any other context. In no circumstances will your identity or personal story be disclosed on the court record.

To receive compensation, class Members have until **Monday, September 11<sup>th</sup>, 2017**, to submit a completed Claim Form with all required supporting documents by mail, email, or fax to Class Counsel:

**Trudel Johnston & Lespérance**

90-750, Côte de la Place d'Armes

Montreal, QC, H2Y 2X8

Email: [jean-marc@tjl.quebec](mailto:jean-marc@tjl.quebec)

Fax: 514-871-8800

[www.tjl.quebec](http://www.tjl.quebec)

**For all claims**, you must fill out a Claim Form and provide the following documentation:

- A copy of your birth certificate and colour photocopy of your passport, driver's license or health insurance card; and
- Any document or piece of memorabilia that you still have that confirms your participation in a City of Westmount sports or recreation program;

**For claims for Additional Compensation**, you must confirm the damages that you suffered as a result of the abuse (see Part IV of the Claim Form) and provide any documentation that supports your claim for such damages (see Part V of the Claim Form and the Compensation Grid).

You are encouraged to start collecting all the documentation required to submit a claim as soon as possible in order to be able to file your claim on time.

**WHO CAN I CONTACT FOR MORE INFORMATION AND HOW DO I GET A COPY OF THE SETTLEMENT AND CLAIM FORM?**

To obtain a copy of the Claim Form or get more information on how to submit a claim, please contact Jean-Marc Lacourcière, by phone (514-871-8385 ext. 209) or by email ([jean-marc@tjl.quebec](mailto:jean-marc@tjl.quebec)).

*Please note that in case of any discrepancy between the terms of this Notice and the Settlement Agreement, the terms of the Settlement Agreement shall prevail. Any term not defined in this Notice shall have the meaning ascribed in the Settlement Agreement.*