

# IQT, LTD. MASS TERMINATION CLASS ACTION NOTICE OF PROPOSED SETTLEMENT AND SETTLEMENT APPROVAL HEARING

This Notice may affect your rights. Please read carefully.

## PURPOSE OF THIS NOTICE

This notice is directed to all persons who were employees of IQT, Ltd. whose employment in Oshawa, Ontario, was terminated on July 15, 2011, exclusive of its officers and directors, and who did not opt out of this class action (the "Class Members").

This action was certified as a class proceeding in 2014, with claims in wrongful dismissal, conspiracy, inducing breach of contract, oppression remedy, and negligence. The certification order is posted at [www.charneylawyers.com/iqtsolutions](http://www.charneylawyers.com/iqtsolutions). None of the claims in the action have been proven in court.

The parties have reached a proposed settlement of this class action.

## THE PROPOSED SETTLEMENT

The full terms of the proposed settlement can be viewed at [www.charneylawyers.com/iqtsolutions](http://www.charneylawyers.com/iqtsolutions).

Under the terms of the proposed settlement, the defendants' insurer, Executive Risk Indemnity Inc, has agreed to pay \$1,332,303.00 USD (approximately \$1,709,744.44 CAD as at the time of the publication of this Notice) and \$50,000.00 CAD (for the costs of administering the settlement) to the Class Members, in exchange for a comprehensive release of all claims against all defendants, including the Director's Orders to Pay #39619, #39620, #39626, and #39627 issued by the Ministry of Labour, the applications for review filed with the Ontario Labour Relations Board by Alex Mortman and David Mortman (2687-11-ES and 0740-12-ES), and the application issued by Robert Brigaitis in Ontario Superior Court of Justice, Court File No. CV-16-550610.

Under the terms of the proposed settlement, each Class Member will be eligible for compensation calculated as equivalent to six weeks' pay, less legal fees, while Class Members who were employed by IQT, Ltd. in excess of five years are eligible for an additional half week of pay per full year of service, less legal fees.

As the deadline to opt out of the class action passed on August 29, 2014, all current Class Members will be bound by the terms of any settlement in this action, and will not be entitled to prosecute an independent action.

The final settlement agreement will be subject to court approval.

## THE SETTLEMENT APPROVAL HEARING

A motion to approve the final settlement agreement will be heard before the Ontario Superior Court of Justice at **130 Queen Street West, Toronto Ontario, on October 28, 2016, at 10:00 a.m.** At this hearing, the Court will determine whether the final settlement agreement is fair, reasonable, and in the best interests of Class Members.

## PARTICIPATING IN THE SETTLEMENT APPROVAL HEARING

All Class Members are entitled to participate in the settlement

approval process. If you approve of the terms of the proposed settlement, you do not have to do anything.

If you wish to comment on, or to object to, the terms of the proposed settlement, you must send written submissions to Class Counsel, to be received no later than **5:00 p.m. on October 21, 2016**. Your written submissions should include: (a) your name and contact information; (b) a brief statement of your position on the terms of the proposed settlement; (c) whether you plan to attend at the settlement approval hearing; and, (d) if you plan to attend at the settlement approval hearing through a lawyer, the name and contact information of the lawyer.

Any Class Member is welcome to attend at the settlement approval hearing on October 28, 2016, but you are not required to attend in order to receive settlement funds. If you approve of the terms of the proposed settlement, you do not have to do anything.

**CLASS MEMBERS WHO DO NOT WISH TO OBJECT TO THE PROPOSED SETTLEMENT DO NOT NEED TO MAKE WRITTEN SUBMISSIONS, APPEAR AT THE SETTLEMENT APPROVAL HEARING, OR TAKE ANY OTHER ACTION AT THIS TIME.**

## SETTLEMENT FUNDS

If the final settlement agreement is approved by the Court, Class Counsel will submit a method for distributing the settlement funds to the Court for its approval. Once the Court has approved the distribution method, another notice will be provided to Class Members regarding the finalized distribution method and the claims process.

## CLASS COUNSEL FEES AND DISBURSEMENTS

Class Counsel will be seeking a fee of 33% of the amounts recovered by the Class, plus HST, disbursements, HST on disbursements, and all costs. As part of the settlement approval hearing, Class Counsel will make a motion to the court to have the fee agreement approved. The Class Members will not be required to pay legal fees to Class Counsel unless the final settlement agreement is approved by the Court.

## INFORMATION

This Notice was approved by the Ontario Superior Court of Justice. The Court offices will be unable to answer any questions about the matters in this Notice. Additional information about the class action can be found at [www.charneylawyers.com/iqtsolutions](http://www.charneylawyers.com/iqtsolutions).

Any questions regarding this class action, the proposed settlement, or the settlement approval hearing should be directed to:

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