

## OPT OUT: LONG FROM NOTICE

**CATHOLIC PRIEST SEXUAL ABUSE CLASS ACTION  
WERE YOU SEXUALLY ABUSED BY A PRIEST OF:  
THE ARCHDIOCESE OF HALIFAX;  
THE DIOCESE OF YARMOUTH;  
OR THE ARCHDIOCESE OF HALIFAX-YARMOUTH?**

If **YES**, And You Have Not Previously Settled Your Claim, A Class Action May Affect Your Rights.

*A court authorized this notice. You are not being sued.*

- You could be affected by a class action.
- Your rights are affected, and you have a choice to make now. This notice is to help you make that choice.
- McKiggan Hebert Law and Koskie Minsky LLP were appointed by the court as the lawyers for survivors of sexual abuse by priests of the Archdiocese of Halifax, the Diocese of Yarmouth, and the Archdiocese of Halifax-Yarmouth. You should contact the lawyers at 1-833-630-1785 or email them at [catholicabuseclassaction@kmlaw.ca](mailto:catholicabuseclassaction@kmlaw.ca) to get more information.

YOUR LEGAL RIGHTS AND OPTIONS AT THIS STAGE	
<b>Do NOTHING</b>	<p><b>Stay in this lawsuit and wait for the outcome. Share in possible money or other benefits from the outcome but give up certain individual rights.</b></p> <p>By doing nothing, you keep the possibility of getting money or other benefits that may come from a trial or settlement. But, you give up any rights to sue on your own about the same legal claims in this lawsuit.</p>

<b>REMOVE YOURSELF (OPT OUT)</b>	<p><b>Get out of this lawsuit and get no benefits from it. Keep rights.</b></p> <p>If you ask to be removed (opt out) and money or benefits are later awarded, you won't receive any money or benefits. But, you keep any rights to sue the Roman Catholic Episcopal Corporation of Halifax, the Roman Catholic Episcopal Corporation of Yarmouth and the Archbishop of Halifax-Yarmouth on your own about the same legal claims in this lawsuit. You will have to retain your own lawyer at your own cost.</p>
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- Lawyers must prove the claims against the Roman Catholic Episcopal Corporation of Halifax, the Roman Catholic Episcopal Corporation of Yarmouth and the Archbishop of Halifax-Yarmouth at a trial, or a settlement must be agreed. If money or benefits are obtained you will be notified about how to ask for your share.
- Your options are explained in this notice. To be removed from the lawsuit, you must ask to be removed by September 30, 2020.
- Call 1-833-630-1785 or email [catholicabuseclassaction@kmlaw.ca](mailto:catholicabuseclassaction@kmlaw.ca) to get more information.

## BASIC INFORMATION

### 1. Why is there a notice?

This lawsuit has been “certified” as a class action. This means that the lawsuit meets the requirements for a class action and may proceed to trial. If you are included, you may have legal rights and options before the Court decides whether the claims being made against the Roman Catholic Episcopal Corporation of Halifax, the Roman Catholic Episcopal Corporation of Yarmouth and the Archbishop of Halifax-Yarmouth are correct. This notice explains all of these things.

A judge of the Supreme Court of Nova Scotia is currently overseeing this case. The case is known as *Gallant v. the Roman Catholic Episcopal Corporation of Halifax et al.* (Hfx No. 479060). The person who sued is called the Plaintiff. The Roman Catholic Episcopal Corporation of Halifax, the Roman Catholic Episcopal Corporation of Yarmouth and the Archbishop of Halifax-Yarmouth are the Defendants.

### 2. What is this lawsuit about?

The lawsuit alleges that the Roman Catholic Episcopal Corporation of Halifax, the Roman Catholic Episcopal Corporation of Yarmouth and the Archbishop of Halifax-Yarmouth are legally responsible for sexual abuse by their priests.

The Court has not decided whether the Plaintiff or the Defendants are right. The lawyers for the Plaintiff will have to prove the claims in Court.

### 3. Why is this a class action?

In a class action a person called the “representative plaintiff” (in this case, Steven Gallant) sued on behalf of people who have similar claims. All of these people are a “Class” or “Class members.” The court resolves the issues for all class members in one case, except for those who remove themselves from the class by opting out.

### 4. Who is a member of the Class?

The Class includes:

*All individuals who allege that they were sexually abused by a priest of the Roman Catholic Episcopal Corporation of Halifax or Roman Catholic Episcopal Corporation of Yarmouth between 1960 and the date of certification March 31, 2020. Individuals who have previously settled or otherwise released either the Roman Catholic Episcopal Corporation of Halifax or Roman Catholic Episcopal Corporation of Yarmouth cannot advance a class action claim for the same alleged sexual abuse.*

### 5. What is the Plaintiff asking for?

The Plaintiff is asking for money or other benefits for the Class.

## **6. Is there any money available now?**

No money or benefits are available now because the Court has not yet decided whether the Roman Catholic Episcopal Corporation of Halifax, the Roman Catholic Episcopal Corporation of Yarmouth or the Archbishop of Halifax-Yarmouth did anything wrong, and the parties have not settled the case. There is no guarantee that money or benefits will ever be obtained. If they are, you will be notified about how to ask for a share.

## **YOUR RIGHTS AND OPTIONS**

You must decide whether to stay in the Class or whether to remove yourself before a possible trial, and you have to decide this by October 12, 2020.

### **7. How do I include myself in the lawsuit?**

**If you do nothing**, you will automatically remain in the lawsuit. You will be bound by all Court orders, good or bad. If money or other benefits are awarded by the court or if the parties agree to a settlement, you will be notified about how to ask for a share.

### **8. How do I exclude myself from the lawsuit?**

**If you want to exclude yourself from the lawsuit**, you must send a letter to the address below, postmarked no later than October 12, 2020 that says you want to be excluded from the class action *Gallant v. the Roman Catholic Episcopal Corporation of Halifax et al.* (You must include your name, address, telephone number, and signature. You can also get an Opt Out Form at [www.halifaxdioceseclassaction.com](http://www.halifaxdioceseclassaction.com). You must mail your Opt Out Form postmarked by October 12, 2020 to: Diocese Class Action c/o McKiggan Hebert, Suite 502, 1959 Upper Water Street Halifax Nova Scotia B3J 3N2, or send it by email to: [catholicabuseclassaction@kmlaw.ca](mailto:catholicabuseclassaction@kmlaw.ca)

If you choose to opt out and you wish to pursue a claim, you will be responsible for your own claim and will have to retain a lawyer at your own expense.

Call 1-833-630-1785 if you have any questions about whether to get out of the Class, and if so how to do it.

## THE LAWYERS REPRESENTING YOU

### **9. Do I have a lawyer in the case?**

Yes. The Court has appointed McKiggan Hebert Lawyers from Halifax and Koskie Minsky LLP from Toronto to represent you and other Class members as “Class Counsel.” You will not be charged for these lawyers unless there is a settlement or judgment granted by the court. If you want to be represented by another lawyer, you may hire one to appear in Court for you at your own expense.

### **10. How will the lawyers be paid?**

Class Counsel will only be paid their fees if they win at trial or if there is a settlement. The Court has to also approve their request to be paid. The fees and expenses could be deducted from any money obtained for the Class, or may be paid separately by the Defendants.

## A TRIAL

### **11. How and when will the Court decide who is right?**

If the lawsuit is not dismissed or settled, the Plaintiff will have to prove the claims at a trial that will take place in the Province of Nova Scotia. During the trial, a court will hear all of the evidence, so that a decision can be reached about whether the Plaintiff or the Defendants are right about the claims in the lawsuit. There is no guarantee that the Plaintiff will win any money or benefits for the Class.

### **12. Will I get money after the trial?**

If the Plaintiff obtains money or benefits as a result of a trial or settlement, you will be notified about how to ask for a share or what your other options are at that time. These things are not known right now. Important information about the case will be posted on the website, [www.halifaxdioceseaction.com](http://www.halifaxdioceseaction.com), as it becomes available.

## GETTING MORE INFORMATION

### **13. How do I get more information?**

You can get more information at [www.halifaxdioceseaction.com](http://www.halifaxdioceseaction.com), by calling 1-833-630-1785, or writing to: Diocese Class Action c/o McKiggan Hebert, Suite 502, 1959 Upper Water Street Halifax Nova Scotia B3J 3N2, or by email at: [catholicabuseclassaction@kmlaw.ca](mailto:catholicabuseclassaction@kmlaw.ca) .