

LONG FORM NOTICE

WERE YOU A TENANT, RESIDENT OF OR VISITOR TO 260 WELLESLEY BETWEEN JANUARY 22, 2019 AND JANUARY 27, 2019?

If YES, A Class Action May Affect Your Rights.

This is a Court authorized notice. You are not being sued.

- You could be affected by a Class Actions involving the apartment building at 260 Wellesley Street East, Toronto.
- A Court has approved a lawsuit as a class action for tenants, resident and visitors of 260 Wellesley between January 22, and January 27, 2019. If you know a resident or former resident who cannot read this notice please share this information with them.
- The Court has not decided whether the owners of the building did anything wrong, and there still has to be a court case about whether they did anything wrong. There is not money available now and no guarantee there will ever be any money. However, your rights are affected, and you have a choice to make now. This notice is to help you make that choice.

DO NOTHING	<p>Stay in this lawsuit and wait for the outcome. Share in possible benefits from the outcome but give up certain individual rights.</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 the building owners on your own about the same legal claim as the lawsuit.</p>
REMOVE YOURSELF (OPT-OUT)	<p>Get out of this lawsuit and get no benefits from it. Keep rights.</p> <p>If you ask to be removed (opt-out) and money or other benefits are later awarded, you won't share in those. But, you keep any rights to sue the building owners on your own about the same legal claims in the lawsuit, subject to any limitation period.</p>

- Lawyers must prove the claims against the building owners 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 **May 29, 2020**.

BASIC INFORMATION

1. Why was this notice issued?

This lawsuit has been “certified” as a Class Action. This means that the lawsuit meets the requirements for class actions and may proceed to trial. If you are included, you may have legal rights and option before the Court decides whether the claims being made against the building owners on your behalf are correct. This notice explains all of those things.

A judge of the Superior Court of Justice is currently overseeing this case. The case is known as *Anna Edwards et al. v 260 Wellesley Residences Inc. et al.* The people who are sued are called the Defendants.

2. What is the lawsuit about?

The lawsuit says the Defendants did not take proper care of the building which resulted in the flood and power outage in January 2019. The lawsuit says that the Defendants’ maintenance of the building was negligent and breached the residents’ rights as occupiers and tenants of the building. The Defendants deny these claims. The lawyers for the Plaintiffs have to prove their case in court.

3. What is a class action?

In a class action people called the “Representative Plaintiffs: (in this case Anna Edwards and Raisa Minguel) sued on behalf of people who have similar claims. All of these people are a “Class” or “Class Members”. The court resolves issues for all class members in one case, except for those who remove themselves from the class.

4. Who is a member of the class?

The Tenant Class includes:

all persons, who on January 22, 2019 were a tenant at 260 Wellesley.

The Visitor Class includes:

all persons, other than members of the Tenant Class or the Defendants, their senior employees, their officers or their directors, who were present at 260 Wellesley on January 22, 2019.

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5. What are the Plaintiffs asking for?

The Plaintiffs are asking for money or other benefits for the Class. They are also asking for lawyers' fees and costs plus interest.

6. Is there any money available now?

No money or benefits are available now because the court has not yet decided whether the Defendants did anything wrong and the two sides have not settled the case. There is no guarantee that money or benefits will ever be obtained. If there are, you will be notified about how to ask for your share.

YOUR RIGHTS AND OPTIONS

7. What happens if I do nothing?

If you do nothing you will automatically remain in the lawsuit. You will be bound by all Court orders, good or bad. If any benefits are awarded, you may need to take action in order to receive any benefits.

8. What if I don't want to be in the Class?

If you do not want to be in the lawsuit, you must remove yourself – this is sometimes referred to as “opting-out”. If you remove yourself, you will not receive any benefits that may be obtained from the lawsuit. You will not be bound by any Court orders and you keep your right to sue the Defendants as an individual regarding the issues in this case.

To remove yourself, complete the enclosed Opt-Out Form. You can also get an Opt-Out Form at www.thetorontolawyers.ca/class-actions/260_wellesley-st/. You must send your Opt-Out form postmarked by May 29, 2020 to:

Epiq Class Action Services Canada Inc.

Opt Out Administrator

P.O. Box 507 STN B

Ottawa ON, K1P 5P6

1 (866) 262-0816

info@260wellesleyclassaction.ca

THE LAWYERS REPRESENTING YOU

9. Do I have lawyers in the case?

Yes. The Court has appointed Landy Marr Kats LLP from Toronto to represent you and other Class Members as “Class Counsel”. You will not be personally charged for these lawyers. 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 if they win at trial or if there is a settlement. The Court has also to approve their request to be paid. The fees and expenses could be deducted from any money obtained for the class, or paid separately by the Defendants.

A TRIAL

11. How and when will the Court decide who has a right?

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

12. Will I get money after the trial?

If the Plaintiffs obtain 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.thetorontolawyers.ca/class-actions/260-wellesley-st/, as it becomes available.

GETTING MORE INFORMATION

13. How can I get more information?

You can get more information at www.thetorontolawyers.ca/class-actions/260-wellesley-st/, or writing to:

LANDY MARR KATS LLP
900-2 Sheppard Avenue East,
Toronto, ON M2N 5Y7