

ANNEXE 2

NOTICE OF CLASS ACTION AUTHORIZED BY THE SUPERIOR COURT OF QUEBEC

AS A MEMBER OR A CIVILIAN MEMBER OF THE RCMP, WERE YOU A VICTIM OF ABUSE OF POWER BY ONE OF YOUR SUPERIORS? YOU MAY BE A MEMBER OF THIS CLASS ACTION

ABBREVIATED NOTICE TO CLASS MEMBERS (Art. 579 C.C.P.)

This notice concerns a class action undertaken on behalf of RCMP members and civilian members who, during the course of their service in the RCMP, were victims of abuse of power.

The Plaintiffs seek a judgement (i) declaring that the RCMP had an obligation to ensure the well being of its members by providing a workplace safe and free from harassment, retaliation, discrimination and abuse of power of any kind and (ii) that its failure to do so warrants the payment of compensatory damages, to those victims of abuse of power by the RCMP, the payment of punitive damages as well as preventative and remedial measures.

On August 15th, 2018, the Superior Court of Quebec authorized this class action. It is to proceed in the District of Montreal.

The judgement authorizing this class action may affect your rights, whether you take action or not. Please read this notice carefully.

Who is a class member?

You are a “Main class member” if you are a member or civilian member of the RCMP and hold a document (or series of documents) issued by the RCMP stating a position

detrimental to you and allowing to presume that you were then victim of “abuse of power” (defined hereinafter), by a member of the staff of the RCMP (defined hereinafter), on the condition of fulfilling one of the following requirements:

- having suffered from abuse of power in Quebec;
- having suffered from abuse of power committed by a staff member then situated in Quebec;
- having to perform your duties for the RCMP in Quebec, at the time when the abuse of power was committed;
- having your domicile or your residence in Quebec when you suffered from abuse of power.

You are a “First subclass member” if you meet the criteria as a “Main class member” and suffered from abuse of power because of belonging to the language group of French speakers.

You are a “Second subclass member” if you meet the criteria as a “Main class member” and suffered from abuse of power because of your activities related to freedom of association and the right to unionize.

You are an “Excluded person” if the nature of your injuries mean that you belong to the class governed by the judgement of the Federal Court rendered on May 30, 2017 in the matter of *Merlo v. Canada* (file no. T-1685-16), unless you have opted out of that class action.

The word “staff” includes alternatively:

- (a) any officer of the RCMP holding at the time of the abuse of power a rank higher than that of the victim;
- (b) a person holding an attribute of the RCMP’s management rights as employer, in particular by performing functions of labour relations, human resources, staffing, occupational health and safety, remuneration, social benefits, finances or litigation.

The expression “abuse of power” is a synonym of “Injury” and comprises of: physical harassment, psychological harassment, retaliation, discrimination and all other forms of abuse of power.

The designated class representatives are Paul Dupuis, Marc Lachance and the Quebec Mounted Police Members Association.

What must I do to take part in this class action? If you are a class member and you wish to be included in the present class action, you do not have to do anything.

You can obtain the authorization of the Court to intervene if the Court is of the opinion that this intervention will be helpful to the class. If you are not a class representative or intervener, there are no fees to pay in relation to the present class action.

If you have not opted out of the class action, you will be bound by every further judgment to be rendered in this case, as provided by law.

If you have a lawsuit having the same subject as the present class action and you wish to participate in this class action, you must discontinue the lawsuit before **May 22, 2019**. If not, you will be deemed to have opted out of the class action.

You may opt out if you do not wish to participate in this class action against the Attorney General of Canada. However, in case of a settlement or judgement providing for compensation to the class members, you will not be authorized to make a claim.

How to opt out? To opt out, you must notify the clerk of the Superior Court in writing by providing the following information:

- The file number: 500-06-000820-163;
- Your name, address and telephone number;
- Your declaration: *I am a class member and I want to opt out of the class action;*
- Your signature.

You must send your letter by registered or certified mail **no later than May 22, 2019**, to the following address:

Clerk of the Superior Court of Quebec,
District of Montreal
Case: 500-06-000820-163
Montreal Courthouse
1, Notre Dame East, Suite 1.120
Montreal (QC) H2Y 1B6.

For more information on this class action

See a detailed notice on the following website:

<https://www.rcmpclassaction.ca/>

or call Duggan Avocats-Lawyers at
(514) 879-1459

The members can also consult the central
registry of class actions on the following
website:

www.registredesactionscollectives.quebec

**The Court has ordered the publication of this
notice. A new notice will be published upon
the final judgment on the class action.**